

**Official Community Plan  
for Portions of Electoral Area "B"  
Yale, Emory Creek, Dogwood Valley, and Choate  
Bylaw No. 150, 1998**



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FRASER VALLEY REGIONAL DISTRICT

Bylaw No. 0150, 1997

A Bylaw to Adopt the  
Official Community Plan  
for Portions of Electoral Area "B",  
Yale, Emory Creek, Dogwood Valley and Choate

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WHEREAS the Regional Board of the Fraser Valley Regional District has deemed it advisable to adopt an Official Community Plan, as provided for in Sections 875, 876, 877, 878, 879, 880 and 881 of Part 26 of the Municipal Act, being Chapter 323 R.S.B.C., 1996, for portions of Electoral Area "B", Yale, Emory Creek, Dogwood Valley and Choate,

AND WHEREAS the Board of Directors of the Fraser Valley Regional District has undertaken and completed a review of the issues and problems in the Official Community Plan Area and has summarized the issues and problems in the form of a background report attached hereto as Appendix A;

AND WHEREAS the background report is intended to assist in explaining the meaning and objectives of the Official Community Plan and is not intended to form a part of the regulatory policies and provisions of the Official Community Plan;

NOW THEREFORE in open meeting assembled, the Board of Directors of the Fraser Valley Regional District enacts as follows:

I. CITATION

This bylaw may be officially cited for all purposes as the "Fraser Valley Regional District Official Community Plan for Portions of Electoral Area "B", Yale, Emory Creek, Dogwood Valley and Choate, Bylaw No. 0150, 1997".

II. AREA OF APPLICATION

This bylaw shall apply to the areas shown on the Official Community Plan Boundary and Area Designation Plan Maps, Schedule B, attached hereto and forming an integral part of this Bylaw.

III. SCHEDULES

That the "Fraser Valley Regional District Official Community Plan for Portions of Electoral Area "B", Yale, Emory Creek, Dogwood Valley and Choate, Bylaw No. 0150, 1997" is comprised of the following Schedules:

- Schedule A – Official Community Plan
- Schedule B – Boundaries and Area Designations
- Schedule C – Road Plan
- Schedule D – River Hazards and Environmental Features
- Schedule E – Development Permit and Heritage Conservation Areas



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Deputy Secretary

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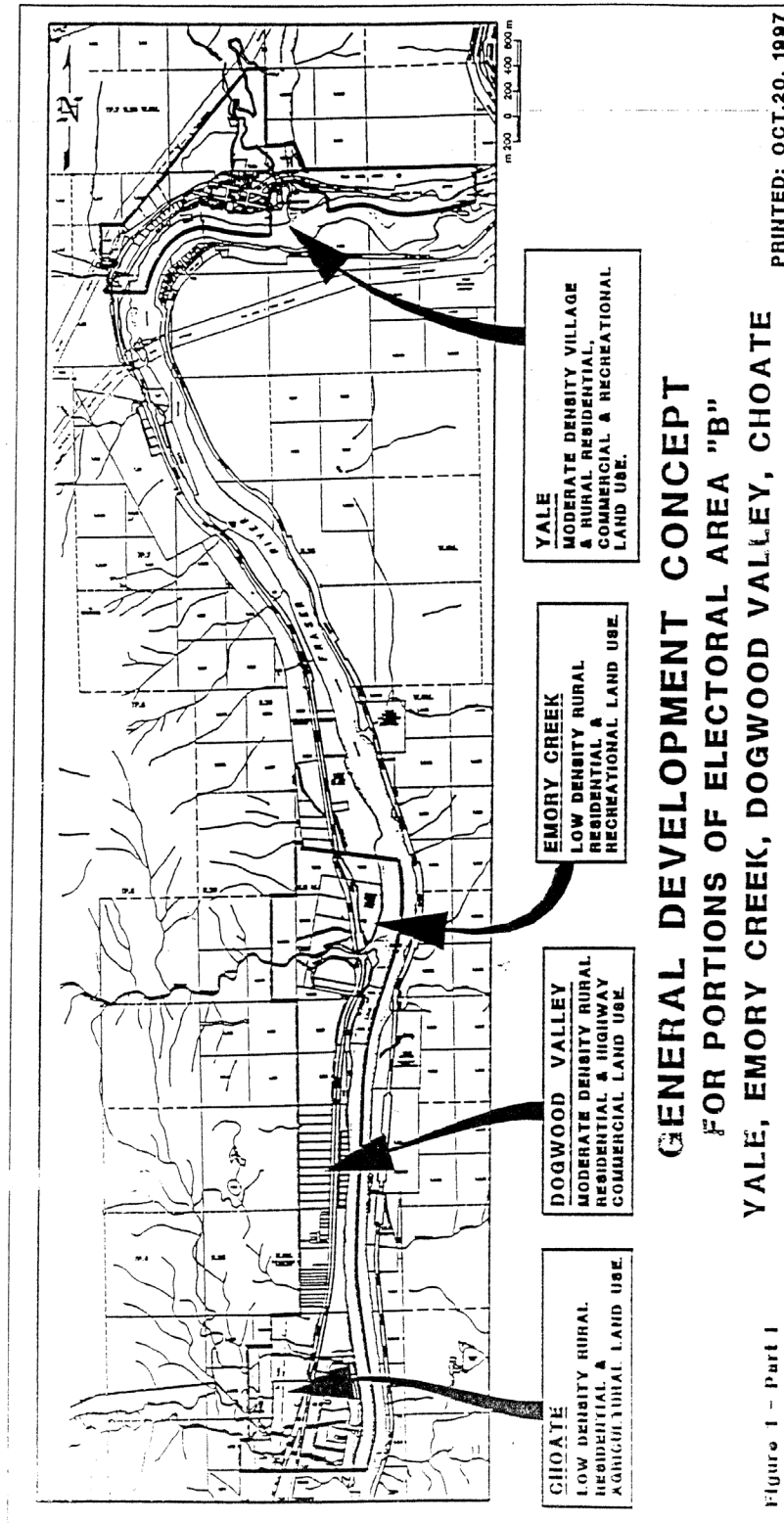
OFFICIAL COMMUNITY PLAN  
FOR PORTIONS OF  
ELECTORAL AREA 'B'  
YALE, EMORY CREEK, DOGWOOD VALLEY & CHOATE

PREFACE

This is the Official Community Plan for portions of Electoral Area 'B', Yale, Emory Creek, Dogwood Valley and Choate within the Fraser Valley Regional District.

The Plan is organized into two parts, a Background Report, which serves as an appendix to the Plan, and the Official Community Plan, which is adopted by bylaw. The Background Report provides an overview of the major land uses, the physical and social characteristics of the Plan area and the principal issues of the Plan. The Official Community Plan, presented in the second part of this document, provides the specific objectives and policies of the Regional District Board. This forms Schedule A of Bylaw No. 0150, and along with the maps in Schedules B, C, D, and E, fulfills the requirements of Sections 876, 877, 878, 879, 880, and 881 of the Municipal Act.

The Plan was prepared with the assistance of local residents, Advisory Planning Commissions, the Yale and District Ratepayers' Association and representatives from various government agencies. Their contribution and cooperation is gratefully acknowledged.



## PART I

### APPENDIX A: BACKGROUND REPORT

#### 1. INTRODUCTION

##### 1.1 Purpose of the Plan

This is the Background Report to the Official Community Plan for portions of Electoral Area “B”; Yale, Emory Creek, Dogwood Valley and Choate. The Plan serves as a statement of the broad objectives and policies of the Regional Board regarding the form and character of existing and future land use and servicing in the Plan area. The purpose of the Plan is as follows:

- to establish objectives and policies for encouraging and directing settlement growth and development;
- to establish coordinated and consistent objectives and policies between the Regional Board, Provincial and Federal agencies and local citizens;
- to provide guidelines and procedures for the use of land, the provision of public services and the protection of the environment;
- to provide a policy framework for revising and implementing zoning and other bylaws in accordance with local conditions and community needs and preferences.

##### 1.2 Plan Area Boundaries

The Official Community Plan area is located adjacent to the Fraser River, about 200 km northeast of Vancouver. Figure 1 shows the two sub areas of the Plan: Yale and Emory Creek/Dogwood Valley/Choate.

The Plan area is located on the boundary of the Coast and Cascade Mountains, adjacent to the Fraser River. It includes river terraces, alluvial fans and steep sided hills associated with the Fraser River. The northern end of the Plan area, at Lady Franklin Rock, marks the beginning of the Fraser Canyon.

Some small areas of Crown land exist in the Plan area. A portion of the Dewdney Provincial Forest is located near Stulkawhits Creek at Choate. Other areas of Crown land are located at Emory Creek Provincial Park, at the Heritage Conservation Branch properties in Yale and in the outlying areas around Yale.

##### 1.3 Planning Process

This Official Community Plan replaces the original Plan which was passed and adopted by the Regional Board on December 15, 1987. Section 3 of this Plan provides a community profile using Statistics Canada information which reveals that overall population for the Plan area has changed very little over the last twenty-five years, but that population has steadily declined in

the Town of Yale during this period. The need for the new Plan was identified by the Advisory Planning Commission for Electoral Area “B” which outlined the need to address a variety of ongoing issues: economic decline, highway and railway safety, control of subdivision and permitted land uses, community services, heritage conservation, and the need for policy direction to guide Board decision making.

In conjunction with the Official Community Plan for Yale, Emory Creek, Dogwood Valley and Choate, the Board established the Yale Development Program to coordinate community planning, economic development and heritage conservation projects in Yale. With funding from the Ministry of Municipal Affairs and Transit “Partners in Enterprise Program”, the B.C. Heritage Trust - Community Heritage Development Program, the former Yale Enhancement Society and the Regional District, the Yale Development Program focused on preparing policies and designs for community development action. The design work was prepared by students of the U.B.C. School of Architecture, Community Design Workshop. In addition to this Official Community Plan, therefore, an Economic Development Strategy and a Heritage Sites Development Project have been prepared for Yale. If the community wishes, the Program may be reviewed in the future to reflect the changes in the Yale community.

The initial planning process for the original Official Community Plan (Bylaw No. 803) started in 1987. The community planning issues were first discussed at a public meeting sponsored by the former Yale Enhancement Society in January 1987. A public information meeting to discuss the proposed planning program was held in March 1987 to solicit comments and suggestions from property owners. This was followed by a series of community workshops for Yale residents (May - June 1987) and Emory Creek/Dogwood Valley/Choate residents (June 1987). Two Friday - Saturday open houses were also held to encourage additional interviews with planning staff. A public information meeting (August 10) and a three-day open house (August 14-16) were then held to review and discuss the draft Official Community Plan and the design proposals for community development projects. Every property owner within the Plan area was mailed a summary of the Plan and invited to attend the meetings and open houses. The Advisory Planning Commission also met regularly to review the draft Plan in detail. In 1995, as initiated by the Regional District, the Advisory Planning Commission set out to amend the original Official Community Plan (Bylaw No. 803). A series of meetings of the Advisory Planning Committee were held discussing community planning issues. An open-house meeting was held on October 27, 1997 in order to encourage dialogue between the public and planning staff and to review and discuss the draft Official Community Plan. Every property owner within the Official Community Plan area was mailed an invitation to the open-house meeting and a notice of the public hearing of the bylaw.

#### 1.4 Legal Status

The Official Community Plan is adopted by the Regional Board under Section 875 of the Municipal Act as a general statement of broad objectives and policies. Section 884 of the Act states that the Plan does not commit or authorize the Board to proceed with any project specified in the Plan. However, all bylaws enacted and works undertaken by the Board must be consistent with the policies and designations of the Plan.

The Plan serves as a series of policy statements to guide day-to-day decision making of the Regional Board, private citizens and public agencies. It also provides the framework for preparing and adopting new zoning and regulatory bylaws within the Plan area. All rezonings

must be consistent with the Plan. However, the Plan also contains special procedures, presented in the Special Circumstances section, to render certain existing land uses conforming to the zoning bylaws.

## 2. HISTORY

Much of the early settlement of British Columbia began along the shores of the Fraser River between Yale and Hope. The Upper Sto:lo people of the coast Salish Indians have traditionally occupied villages and fishing sites along the River. Archaeological records indicate that the area was inhabited some 9,000 years ago. The fur trade in the early 1800's led to new routes through the lower Fraser Canyon. But it was the Gold Rush of 1858 that initiated the sudden arrival of immigrants and the growth of settlement at Yale, Emory Creek and the bars along the Fraser River. The construction of the Canadian Pacific Railway during 1880-85 and later the Trans Canada Highway led to further waves of settlement. Like so many other communities in British Columbia, local prosperity has fluctuated with resource and transportation developments.

### 2.1 Upper Sto:lo People

The Upper Sto:lo Coast Salish Indians occupied a territory extending from the lower Fraser Valley to the middle of the Fraser Canyon. Within the Yale-Choate area, there were at least four Indian villages at Yale Creek, Gordon Creek, Emory Creek and Stulkawhits Creek.<sup>1</sup> When Simon Fraser visited the first of the Upper Sto:lo villages, he wrote that "we were received with as much kindness as if we had been lost relations. Neat mats were spread for our reception and plenty of salmon in wooden dishes, was placed before us."<sup>2</sup> The Tait groups of the Upper Sto:lo occupied this area along the Fraser River from Seabird Island to Sawmill Creek, north of Yale. There were an estimated 678 Indians inhabiting the area in 1839, although earlier populations were probably much greater prior to the smallpox epidemics in the late 1700's.

The Tait (or "up-river people") group was comprised of extended families living in small and usually impermanent villages. The pattern of settlement probably involved winter villages consisting of semi-subterranean pit houses 20 - 35 feet in diameter, and summer villages comprised of large groups of the Tait at fishing camps along the Fraser River, sometimes inhabiting rudimentary plank houses. Fishing camps and fish and fish drying rocks were located throughout the Fraser Canyon. Individual fishing locations were considered to be owned by specific groups within the Tait, reflecting the importance of the fish resource as the main source of livelihood. The principal means of fishing was by dip-net, and occasionally drag nets, harpoons and weirs. Fish were preserved by drying and smoking and placed in an elevated store house for winter use. Many of these fish drying sites can be seen along the present shores of the Fraser River.

Hunting, berry picking and root gathering were also important activities of the Tait. Most of the hunting occurred during the fall, and plant food gathering occurred predominantly during spring and summer.

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<sup>1</sup>Heritage Conservation Branch, Lillooet-Fraser Heritage Resource Study 1980

<sup>2</sup>W. Duff, The Upper Stolo Indians of the Fraser River of B.C., Anthropology of B.C. Memoir No. 1, B.C. Provincial Museum, 1952, pp. 89-90

## 2.2 The Gold Rush

In 1848 the Hudson's Bay company established Fort Yale as part of the route to the interior of New Caledonia. The difficulties of the Fraser Canyon route however, led to the abandonment of the fort within a few years. But, in 1858, when gold was discovered first on the Fraser River at Hill's Bar then in the Cariboo, Fort Yale was reopened. Yale became the head of navigation for stern wheelers and the jumping off point for thousands of gold seekers headed for the Cariboo.

In 1858 there were more than 30 bars being worked on the Fraser River between Hope and Yale. Some 600 sluice rockers were counted along this stretch of the river in September 1858 (B.C. Historical Association, 1954). About 9,000 men worked those bars and Yale's population at times swelled to 3,000.<sup>3</sup> The on rush of thousands of gold miners, most of them from California, and the sudden wealth led to considerable fighting, theft and lawlessness amongst and between whites and Indians. This caused Governor Douglas to dispatch Colonel Moody and 22 Royal Engineers, accompanied by Judge Begbie, to establish British rule and to assist in the orderly settlement of the area.

The construction of Douglas Portage from Yale to Spuzzum, connecting with a trail to Boston Bar and Lytton, provided a difficult but essential route to the Cariboo. In 1861, Douglas ordered construction of the Cariboo Road, the first six miles out of Yale being constructed by the Royal Engineers and the rest of the distance, to Cook's Ferry on the Thompson River, by private contractors. This further increased the movement of people and goods, with regular stage coach and pack mule services between Yale and Soda Creek in the Cariboo. Yale became one of the prominent towns in the colony:

"Yale in the Sixties was almost as large as New Westminster and was a very busy place. All the passengers and freight for the Golden Cariboo passed through it. It was the transfer point, the head of navigation on the river, the lower end of the Cariboo Road. The steamers from New Westminster landed their freight from "outside" and cattle and produce from the Fraser Valley here. It boasted an Anglican church, a schoolhouse and jail and a number of stores, hotels and blacksmith shops. Freighting or forwarding was the great business of the town and a number of companies were engaged in it, the best known and most lasting being Barnard's Express (The B.X.)"<sup>4</sup>

In September 1868 a colony-wide conference was held in Yale to discuss the entry of British Columbia into Confederation. It was attended by 26 delegates, including three members of the legislature -- DeCosmos, Robson and Barnard -- and resolved to urge the entry of the colony into the Dominion of Canada.

The decline of the gold rush in the mid 1860's marked the end of prosperity for Yale and Emory Bar. The period from the late 1860's to 1880 was largely one of decline, although many of the gold miners, particularly Chinese, still extracted significant amounts of gold from the placer operations along the shores of the Fraser River.

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<sup>3</sup>B.C. Historical Association, Historic Yale, 1954

<sup>4</sup>B.C. Historical Association, op.cit., 1954, p. 10

## 2.3 Early Land Pre-emption

Colonial settlers in rural areas acquired land by registering a homestead and after a period of occupation obtaining a Crown grant. The following historical information originates from the records of land pre-emption.<sup>5</sup>

One of the earliest pre-emptions of land was issued to Watson Hodge in 1860, on the Yale-Lytton Wagon Road, 4 miles north of Yale at Hodge's stopping house. At 4 mile post, a pre-emption was also issued to John Wyatt in 1860.

Land at Stulkawhits (Texas) Creek, and the area west of "the old church" at Texas Bar, including two lakes called "Hunter Lakes", was pre-empted by Henry Hunter in 1862 and by Thomas Hamlin in 1865. This land was later granted to David Holmes in 1880 and by 1939 was held by B.C. Nickel Mines Ltd., a portion of which is still held by Giant Mascot Mines.

At Emory Creek, Lot 12 was issued to Hopson Walker in 1862, and later purchased by the merchants Oppenheim Bros. in 1879, when a townsite was surveyed. Some of the Emory City lots were sold in 1880 and a small settlement existed on the site during the early 1880's. By 1939, the property had reverted to the Crown.

In 1863, Lot 7 opposite Hill's Bar on the Fraser River, was issued to John Woodsworth. The property was held by William Skynner in 1939. Lot 61 nearby was issued to George Gordon in 1866 and later granted to Andrew Onderdonk in 1880. The land was owned by T.W. Dyke in 1939.

Also in 1863, Lot 61, at the western entrance to Yale, "½ mile below Fort Yale south of the land claimed by F.J. Barnard", including 160 acres, was issued to William Klein, and later transferred and granted to Benjamin Bailey in 1891. In 1939, the land was owned by Norman Person, less the portion owned by William Dyke.

In 1864, Lot 65, adjacent to the Fraser River at Dogwood Valley, 160 acres was pre-empted by and in 1871 granted to Ah Ching. The Certificate of Improvements describes a house 16 x 16 with a large cellar, 3 ½ acres of garden and 250 apple trees.

In 1865, Lot 11, 4 acres situated on the river bank immediately beyond the Yale Toll House was issued to William Lake. It was granted to William Evans in 1867, who also held a portion of the property, with the C.P.R., in 1939. Nearby, at Lot 5, Arthur Browning the Methodist minister pre-empted 17 acres, which was later acquired by William Clare.

## 2.4 C.P.R. Construction

In the early 1880's, Yale and Emory Creek became centres of railway construction. The first shipment of steel rails arrived by steamer at Yale in 1878, beginning a new period of economic boom. Andrew Onderdonk, an American engineer, was hired to build the Fraser Canyon section of the Canadian Pacific Railway. Emory City was chosen the western terminus of the section and the town acquired two hotels, nine saloons, a

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<sup>5</sup>F.W. Laing, "Colonial Farm Settlers of British Columbia", unpublished manuscript, 1939  
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Portions of Electoral Area "B"

brewery, stores, warehouses and a sawmill. The townsite of Emory was surveyed in 1880 in anticipation of further growth, but it soon gave way to Yale as the main centre of activity and settlement.

Thousands of railway workers, including a large number of Chinese, arrived in Yale and Emory Creek. The first newspaper on the mainland, the Inland Sentinel, was established in Emory and the area acquired a new semblance of settlement, albeit temporary and rowdy. Onderdonk received the contract to build the Emory to Port Moody section in 1882, and the boom times existed until the completion of the railway in 1885.

Steamboats were active on the Fraser River during this period, delivering supplies, materials and manpower to Yale. Four boats made two trips per week to Victoria and New Westminster. The luxury stern wheelers "William Irving" and "R.P. Rithet", built for Irving's Pioneer Line, provided service to Yale until about 1894. The last steamer to reach Yale was the "Paystreak" in 1912 during the building of the Canadian National Railway.<sup>6</sup> Although Yale was the head of navigation, Onderdonk constructed the steamer "Skuzzy" and took it through Hell's Gate canyon to Boston Bar, in a mad effort to move goods upstream and to avoid the tolls on the Cariboo Road.

Yale was a major town in the early 1880's. The British Columbia Directory describes the town in 1882:

"The resident white population may be stated as about 750, though it has been much larger, owing to the presence of Railway employees. A number of Chinamen are in business in the town, as traders, laundry-men and restaurant keepers. The Indians, whose appearance and language change a few miles up the river, have a village beside Yale and a great salmon fishery above the town. They are employed largely in supplying firewood to the inhabitants. The town is almost entirely wooden, with wide streets and pretty cottages in the suburbs. The railway contractor's residence head offices, and engine shops are at Yale.

A weekly newspaper, the Inland Sentinel, is published. There are good wholesale and retail stores, several excellent hotels, provincial government school, Church of England and Catholic places of worship, government agents offices, and a lockup, a fire engine house, post office and telegraph station."<sup>7</sup>

## 2.5 Twentieth Century

At the turn of the century there was still an active community in Yale, based primarily on the railway and mining. The Station Hotel and Railroad House were in business along with Creighton's General Store, and the West Yale Review was published weekly until 1916. The On Lee and Fook Wo families had businesses on Douglas Street from at least 1912. By the mid 1920's, however, population had declined to less than 50

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<sup>6</sup>B.C. Historical Association, op.cit., 1954

<sup>7</sup>The British Columbia Directory, 1882-83, R.T. Williams, Publisher, Victoria 1882  
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residents. Twenty years later, the Yale population increased gradually to its present level.

At Emory Creek and Choate, roadhouses existed from the early 1900's. The Old Choate Lodge was a resort as well as a roadhouse, with many of the visitors arriving by train. Choate was first established as a station on the C.P.R. line, named after James Zaccheus Choate, a prominent bridge engineer with the railroad company. The Choate area was farmed by the Wotten and Stuart families around 1920 and later by the Savor family. The former Emory Creek Lodge was constructed on property purchased by the Wotten family in 1924 and later sold to the Virteau family in 1958.

In 1923, Carl Zofta, a trapper and prospector, discovered the nickel-bearing pyrrhotite, which became the Pride of Emory Mine, located 7 miles up Stulkawhits Creek from Choate.<sup>8</sup> The mine operated as Pacific Nickel Mine until the late 1970's.

More recently, the economy of the Plan area has increasingly become dependent on the accommodation and food service industry and, to a lesser extent, on other service-oriented and tourist-related activities. In 1991, 42% of all occupations were service-oriented mostly catering to trucking and commuter traffic along Route 1, the Trans Canada Highway. In 1986 the opening of the Coquihalla Highway from Hope to Merritt offered an alternative and more direct route to the interior of the province and traffic volumes decreased through the Plan area adversely affecting the service-oriented economy. The Summer Average Daily Traffic<sup>9</sup> in July and August 1985, for example, was 9,400 vehicles while, in 1986, following the opening of the Coquihalla route, the average for the same two months dropped to only 5,800 vehicles. This represented an immediate 40% decrease in traffic volume. It should also be noted that traffic through the Plan area has not shown significant recovery since 1986 as the summer volume for 1993 was recorded as 6,600 vehicles.

### 3. COMMUNITY PROFILE

#### 3.1 Population

1991 Census data for the enumeration area (including Spuzzum) was recorded at 365 persons. The Census data for 1996 indicates an increase in the total population by 46 to 411 persons. Census data also shows a 30 % decline in population from 480 in 1976 to 334 in 1986.

The current distribution of population (1996) of the Plan area was estimated through a property review, multiplied by the average number of persons per household (2.404). In 1996 the current population in the Plan area was estimated as 185 for the Emory Creek, Dogwood Valley and Choate area and 171 for the town of Yale. In 1986, the numbers were 168 and 161 respectively. The total population is almost evenly split between Yale and the Emory Creek/Dogwood Valley/Choate area. Comparison between the years 1986 and 1996 indicated that there has been a moderate increase in number of people

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<sup>8</sup>Howard, H.C., "Geology & Mineral Deposits at the Mine of B.C. Nickel Mines Limited, Yale District, B.C.", Canada Dept. of Mines, 1936

<sup>9</sup>Ministry of Transportation and Highways, yearly Summer Average Daily Traffic 1985, 1986 and 1993, record location 27-011, 5.8 km north of Emory Creek Bridge, 1.5 km south of Yale.

in the Plan area. Both the 1996 estimated figure and the Canada Census enumeration area figure indicate an increase in population since 1986 following many earlier years of population decline. Table 1 presents population data.

Population can increase significantly during the summer months, since some properties are used as seasonal residences and church camps.

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<b>TABLE 1: POPULATION</b>					
<u>Census Data</u> <sup>1</sup>	<u>1976</u>	<u>1981</u>	<u>1986</u>	<u>1991</u>	<u>1996</u>
Choate to Spuzzum Enumeration Area	480	380	334	365	411
<u>Property Data</u>			<u>1986</u> <sup>2</sup>		<u>1996</u> <sup>3</sup>
Emory Creek, Dogwood Valley & Choate Yale			168		185
			161		171
<b>Total Plan Area Population</b>			<b>329</b>		<b>356</b>
Sources: <sup>1</sup> Census Data - Statistics Canada					
<sup>2</sup> Property Data (1987 estimate) - Number of residences x 2.9 average persons per household.					
<sup>3</sup> Property Data (1997 estimate) - Number of residences x 2.404 average persons per household.					
<b>NOTE:</b> Excludes Indian Reserve population					

### 3.2 Age and Gender

Information on population age and gender is provided by Census data. This information is shown in Table 2. The table shows that, in 1991, 29% of the population were under 20 years of age, 51% were between the ages of 20 and 59 years and 27 % were over the age of 60 years. This compares with the B.C. average of 27 %, 56 % and 17 % respectively. Comparison between 1986 and 1991 Census data indicated little change in age distribution.

The gender make-up of the population has fluctuated slightly over a twenty year period but has remained relatively evenly divided between male and female.

<b>TABLE 2: POPULATION, AGE STRUCTURE AND GENDER</b>						
	1981		1986		1991	
<b>Age Class</b>	<u>Total</u>	<u>(%)</u>	<u>Total</u>	<u>(%)</u>	<u>Total</u>	<u>(%)</u>
0-19 Years	140	(37%)	85	(25%)	105	(29%)
20-59 Years	175	(46%)	165	(49%)	185	(51%)
60+ Years	65	(17%)	75	(22%)	100	(27%)
<b>TOTAL</b>	375		335		365	
<b>Gender</b>						
Male	190	(49%)	185	(56%)	195	(53%)
Female	190	(51%)	145	(44%)	170	(47%)
* Source: Data for Census of Canada, Enumeration Area 011 (1981, and 1986) and 007 (1991), Total population estimates do not necessarily equal the aggregation of subcategories because of Census data rounding.						

3.3 Employment and Income

The Statistics Canada 1991 Census provides data on the labour force within the enumeration area. The data indicates that, of the portion of the population 15 years and older, 165 (52%) were in the labour force. Of these, 130 (41%) were employed and 30 (9%) were unemployed. Furthermore, the average family income in 1991 out of 105 census families was \$47,886 with 16% of families earning under \$20,000 and 39% of families earning over \$50,000.

3.4 Housing Stock

Current records (1997) show that there are 71 residences in the Yale Plan area, including mobile homes and households adjoining commercial businesses. In the Emory Creek/Dogwood Valley/Choate Plan area, there are 77 residences.

The enumeration area (Choate-Spuzzum) Census data for occupied private dwellings is shown in Table 3. The total number of dwellings has increased from 155 in 1976 to 178 in 1996. As Table 3 indicates, between 1986 and 1991, the number of single detached dwellings has decreased while the number of movable homes (as permanent residences) has increased significantly. In 1991 movable homes accounted for 29% of the total occupied dwellings in the Plan area.

<u>TABLE 3: OCCUPIED PRIVATE DWELLINGS</u>					
<u>Dwelling Type</u>	<u>1976</u>	<u>1981</u>	<u>1986</u>	<u>1991</u>	<u>1996</u>
Single Detached	110	105	115	95	
Other**	10	10	5	0	
Movable	40	25	15	40	
TOTAL OCCUPIED DWELLINGS	155	135	140	140	178
Source: Statistics Canada; dwelling totals for the enumeration area are not necessarily the sum of dwelling types. **"Other", includes Duplexes and Single Attached dwellings					

### 3.5 Building Permits

Tables 4a and 4b show building permits issued between 1989 and 1996 within the Yale Plan area and the Emory Creek/Dogwood Valley/Choate Plan area respectively. The tables indicate that the majority of permits were issued for relatively small development projects ('Other' category) such as building additions, garage construction, renovations, etc. In the time period from 1989 to 1996, 17 permits were issued for single family homes and 6 for the placement of a mobile home for the Official Community Plan area. The value of permits has varied dramatically over the past several years with the level and type of construction. This may be indicative of a refocusing of development away from Yale to Dogwood Valley and Emory Creek. Of note is that the total value of building permits issued in this period was significantly higher in the Emory Creek/Dogwood Valley/Choate Plan area than in the Yale Plan area.

TABLE 4 a. BUILDING PERMITS WITHIN YALE PLAN AREA, 1989-1996							
	Total Permits	Residential Starts			Commercial	Other	Total Value \$
		S.F	M.H.	Total			
1989	3					3	\$23,352
1990	8		1	1	2	4	\$96,625
1991	10				2	8	\$166,153
1992	1				1		\$126,600
1993	16	2	1	3		10	\$196,920
1994	7		1	1		5	\$40,030
1995	4		1	1		2	\$19,480
1996	5					5	\$88,040
Total	54	2	4	6	5	37	\$757,200

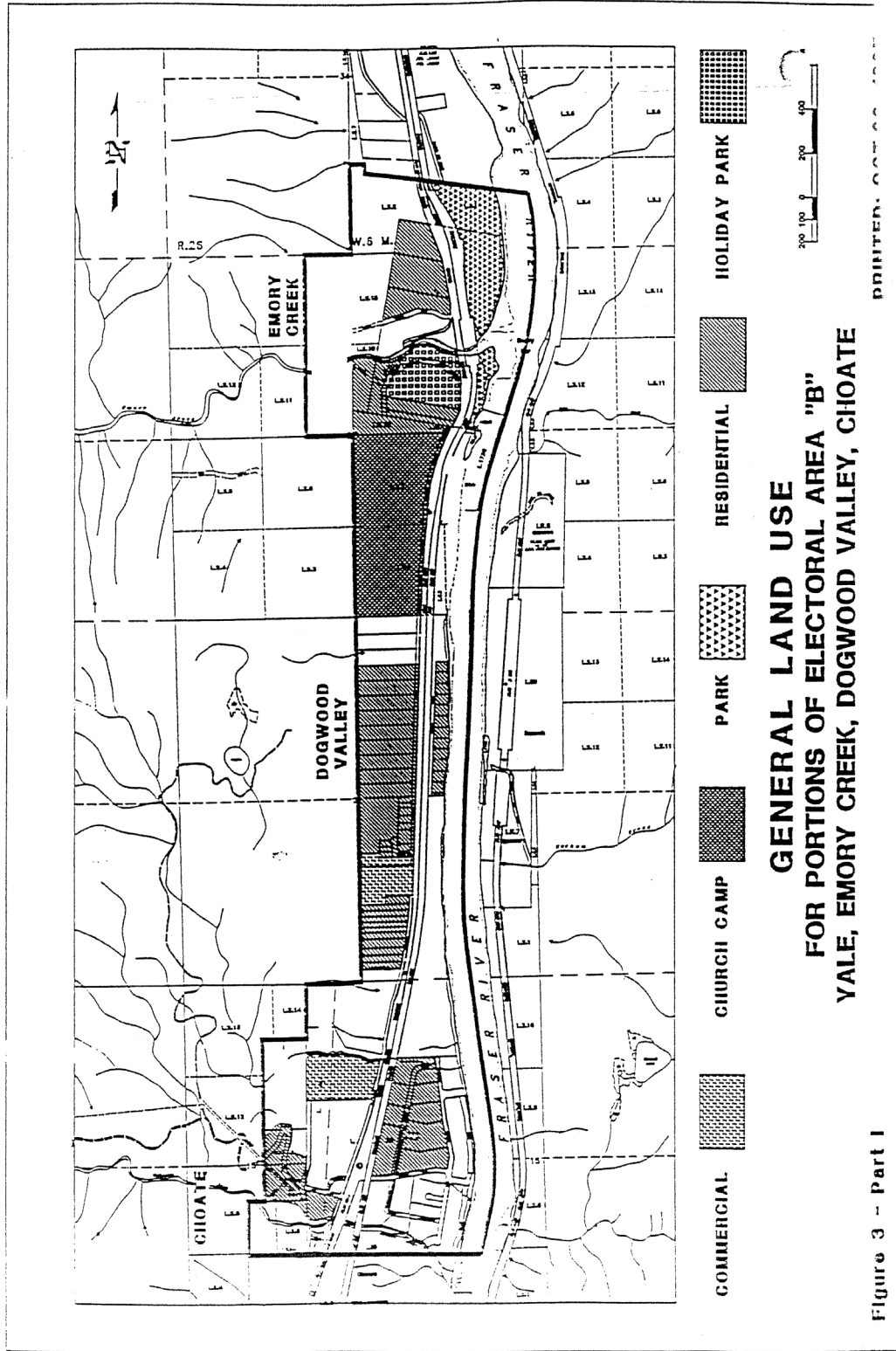
TABLE 4 b BUILDING PERMITS WITHIN EMORY/DOGWOOD/CHOATE PLAN AREA, 1989-1996							
	Total Permits	Residential Starts			Commercial	Other	Total Value \$
		S.F	M.H.	Total			
1989	10	4		4		6	\$207,510
1990	11	2	1	3		8	\$513,920
1991	7	3	1	4	3		\$557,370
1992	4	1		1		3	\$75,665
1993	9	2		2		7	\$191,790
1994	7					7	\$162,897
1995	13	3		3		10	\$414,687
1996	5					5	\$68,041
Total	66	15	2	17	3	46	\$2,191,880

#### 4. LAND USE AND SERVICES

##### 4.1 Existing Land Use

The Yale, Emory Creek, Dogwood Valley and Choate Community Plan area is comprised of two hamlets and assorted rural residential land uses, located adjacent to the Fraser River, the Trans Canada Highway and the Canadian Pacific Railway. Yale is an old, established settlement of small, residential lots and highway commercial businesses. Emory Creek is a rural and seasonal residential and recreational area. Dogwood Valley is a small highway commercial centre surrounded by rural residential uses. Choate is a rural residential and agricultural area. Figures 2 and 3 portray general land use.







There are two campground holiday parks in the Plan area -- the All Hallows recreational cooperative in Yale and the Emory Creek cooperative. Two church camps, at Emory Creek and Choate, are also located in the area. Campgrounds for overnight use are developed at Emory Creek Provincial Park and on Indian land immediately north of Emory Creek.

There is a significant supply of vacant village and rural residential land in Yale and Dogwood Valley. On the basis of existing subdivisions, at least 49 vacant properties in Yale and 26 vacant properties in Emory Creek/Dogwood Valley/Choate have potential for settlement.

#### 4.2 Developable Land

There are three areas which could potentially provide for new settlement growth, beyond the existing supply of available properties. These are: (a) lands in upper Yale in the vicinity of the community park and the school, (b) further subdivision of lands between the highway and the river at Dogwood Valley and (c) an area along B. C. Nickel Mine Road at Choate.

Potentially developable land in the upper Yale area is constrained by topography and geotechnical concerns. Nevertheless, taking into account a preliminary survey of geotechnical hazards 1, there is a potential for approximately 12 lots in the area near the community park, based on a gross density of 2 lots per hectare, and approximately 16 lots in the area near the school, based on a gross density of 8 lots per hectare with on-site services.

Dogwood Valley has the long term potential to be developed into country residential density. Currently, a 22 lot subdivision is under development on the west side of the Trans Canada Highway. In conjunction with this subdivision proposal, the first phase of the Dogwood Valley Community Water System is under construction. A Local Service Area is being established in order to run the water system. Furthermore, there is also development potential on the east side of the Trans Canada Highway. About 29 hectares of land potentially could be subdivided into 145 lots based on parcel size of 2000 square meters, with on-site sewage disposal. This would require an extension of the community water system to serve this area, improvements to road access and rail crossings, and adequate setbacks and floodproofing near the Fraser River and Stulkawhits Creek.

Near Stulkawhits Creek, about 1 km west of Highway No. 1, there is a potentially developable area accessed via B.C. Nickel Mine Road. This area has previously been considered for Crown land subdivision. However, poor access to the area and the costs of subdivision development discourage alienation of these lands until housing demand increases and the existing supply of vacant residential lots diminishes.

#### 4.3 On-Site Sewage Disposal

New Development in the Plan area requires adequate planning for sewage disposal tile field areas. In order to avoid the construction of sewers and sewage treatment facilities, it is important that development density not exceed the natural capacity for on-site sewage disposal. This requires planning for the long term by protecting reserve areas for future sewage disposal.

There have been a variety of sewage disposal problems in the Plan area, primarily associated with small lot development. The Fraser Valley Health Region has commented on these concerns:

1. In the Yale area, there are a number of very small lots that leave little room for installation of sewage disposal systems if large housing or commercial units are constructed on them. A number of existing buildings in Yale are operating on alternate disposal systems and could face considerable problems should these systems malfunction. Attention should, therefore, be given to maximum lot coverage regulations, particularly in commercial zones.
2. In the Dogwood Valley area, there is a problem being caused by conflicts between the location of disposal fields and wells on some of the narrow lots along the two highway frontage roads. The placement of wells or disposal fields is not possible on some lots due to previous development on adjoining parcels. As a result, a number of non-approved water systems have been developed over the years, in order to maintain proper separation distances between wells and disposal systems. Although water quality in these systems appears to be satisfactory, the water lines cross property lines without the benefit of easements and there is no legal system set up to ensure maintenance of the supply. We would, therefore recommend that the plan include provisions for supplying the higher density development areas with a community water system.<sup>9</sup>

In many of the small lot situations, inadequate area for sewage disposal fields leads to construction of alternate systems such as “dry wells”. Effluent discharge from these systems is more concentrated and there is greater potential for failure and groundwater contamination. Such systems, therefore, are only approved where site constraints prohibit the installation of conventional systems.

The policies of the Plan should aim to:

- (a) ensure that any new subdivision allows for adequate undeveloped area for the use of sewage disposal tile fields over the long term;
- (b) maximize the area left undeveloped where new buildings or additions are proposed on existing lots;
- (c) ensure that new commercial developments are planned and constructed to provide for appropriate sewage disposal and, where necessary, sewage treatment, as well as adequate parking areas, which do not conflict with sewage disposal fields; and
- (d) encourage that new development in the Dogwood Valley area be connected to the proposed Dogwood Valley Community water system, which can be expanded to serve 254 lots.

#### 4.4 Community Water Supply

The Yale community water system was constructed in 1980. It presently serves about 90 properties. Not served by the water system are the properties east of Yale Creek and west of All Hallows Recreational Park which are somewhat isolated from the main settlement. There are two water licenses on Yale Creek serving a commercial business and a rural residence. In other parts of the Plan area, residents depend upon individual or shared wells and/or surface

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<sup>9</sup>Rice, G., Correspondence from the Ministry of Health, March 1987  
Fraser Valley Regional District  
Bylaw 0150  
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Portions of Electoral Area “B”

water sources. However, a few systems in Dogwood Valley involve the sharing of wells, with water lines, which are not legally secured. Through recent rezoning and subdivision applications in Dogwood Valley it is expected that community water systems associated with the developments will be provided and paid for by the proponents. It is the policy of the Regional Board that future community water supplies will be provided in conjunction with increased population.

#### 4.5 Fire Protection

The Plan area is served by a volunteer fire department with fire stations at Yale and Dogwood Valley which provide excellent service to Electoral Area residents. The two fire trucks are located at Yale and Emory Creek - Dogwood Valley. During the November 1996 election, the residents in the Yale Fire Protection Area voted in favor of constructing a new fire hall on land to be acquired north of Emory Creek. The new fire hall will serve the residences in the southern part of the Yale Fire protection Area. Furthermore, the residences also voted in favor of purchasing a new fire truck for the new fire hall. Yale has a community water system with fire hydrants and adequate volume and pressure of water supply. The pumper truck for the Emory Creek, Dogwood Valley area carry their own water supply. A reservoir tank is also available in this area.

The presence of a railway line relative to residential development can often impose a barrier for firefighters to efficiently access developed areas. The location of the CPR railway lines was thus considered during the preparation of the Plan. No new facilities or special procedures were considered necessary for movement of fire-fighting equipment.

#### 4.6 Solid Waste Management

The garbage dump serving the Plan area is located near Lake of the Woods and operated by the District of Hope and the Regional District. The residents of the Plan area have access to a fairly sophisticated waste management system. Residents and businesses in the communities are serviced with municipal refuse collection through contract to R & R Recycling. The refuse collected through this program is hauled to the Hope landfill. In addition, there is bluebag recyclables and yard waste collection service for the Plan area.

#### 4.7 Schools and Social Services

There is one elementary school in Yale which serves the Plan area. The 1996-97 enrollment is 72 students and this enrollment has remained stable over the last fifteen years. High school students attend school in Hope. The Yale elementary school is an important focus of community activity. The school also houses the Yale Public Library which will soon offer computer and Internet access in addition to existing references, videos and adult learning material. Declining population, however, has created concern about maintaining the school during periods of low enrollment and budget shortfall. The development policies in the Plan should therefore seek to enhance community growth and population stability.

The use of the Trans-Canada Highway for school bus pick-up and drop-off presents safety concerns because of inadequate sites to pull off the highway. These concerns should receive priority attention.

Police, ambulance and hospital services are centered in Hope and provide excellent service to the Plan area. The Plan area is served by E 911 with centralized dispatch for police, ambulance and fire service.

#### 4.8 South Yale Parking

There is a need to provide parking and to maintain boat launching facilities for residents of south Yale. The waterfront road near Albert and Front Street is presently used as the main boat launching area. South Yale residents usually park along Front Street, leaving vehicles in the residential area for long periods of time.

#### 4.9 Road Access

Legal road access to residential properties is a requirement of new subdivision and development. However, some older residences have uncertain legal status to road access. The issue of road and rail right-of-way status in Yale has been an ongoing concern which the Ratepayers Association has been attempting to resolve for many years. During the course of Plan preparation, residents have requested research to clarify and to ensure legal public access to local roadways.

## 5. ENVIRONMENT

### 5.1 Geology

An overview of the geological conditions and hazards within the Plan area was undertaken by Thurber Consultants Ltd. This work resulted in the delineation of a preliminary safeline, which defines the area within which the Regional District will generally issue building permits without further geotechnical studies on the part of the landowner. Outside the safeline, land is potentially subject to a variety of hazardous conditions.

The geological hazards map on Schedule 1 of the Background Report to the Official Community Plan displays the major geotechnical concerns discussed in the Thurber (1987) report.

The general geology of the Plan area is described in the Thurber report:

The terrain is dominated by the deep valley and canyon of the Fraser River. Peaks in the northern extension of the Cascade Range rise up to 1800 m above each side of the river. Granite gneiss and granodiorite are the prevailing types of bedrock. This generally resistant rock forms cliffs, buttresses and steep forested slopes above the valley floor.

The floor of the valley is filled with glacial outwash sand and gravel and recent stream alluvium. A major outwash terrace complex occurs in the Yale area. Several gravelly to bouldery alluvial fans lie at the mouth of Stulkawhits (Texas), Emory, Yale and Mary Ann Creeks. The valley side slopes are partially covered with till, colluvium (rockfall and soil slide deposits) and thin forest soils.

A major element in the geology of the area is the Hope Fault which strikes north to south along the western limits of the Fraser Valley.

Evidence for past movement along this fault was recognized during the course of this study. This evidence consists of fractured and sheared rock and the widespread distinctive bleached white color of the fault zone bedrock. Much of the eroded fault zone bedrock contributes to the heavy bedload of major tributaries of the Fraser River.

A possible landslide was discovered to the north of Emory Creek. This slide undoubtedly occurred in the 10,000 years since the Fraser Valley was deglaciated. The proximity of this slide to the Hope Fault and the presence of other large landslides in the region are reasons for special concern over the slope stability of the area.<sup>10</sup>

### 5.2 Flooding and Erosion

Flooding and erosion hazards require adequate setbacks from watercourses and floodproofing standards for development. There are five significant watercourses in the Plan area: Fraser River, Yale Creek, Mary Ann Creek, Emory Creek and Stulkawhits Creek.

There is no accurate flow data for the Fraser River at Yale or Emory Creek, and thus detailed floodplain mapping is not available. However, the flood potential area can be generally defined.

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<sup>10</sup>Thurber Consultants Ltd., op.cit., 1987  
Fraser Valley Regional District  
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Portions of Electoral Area "B"

The Ministry of Environment and Parks recommends that no valuable structures be located below Front Street in Yale and that waterfront vegetation be maintained wherever feasible.<sup>11</sup> In Dogwood Valley, the equivalent building setback is 60 m from the river.

The Regional District, acting on advice from the Ministry of Environment & Parks, requires that any new development within 60 m of the Fraser River, 30 m of the major creeks and 15 m of minor creeks must be reviewed and issued a variance permit prior to construction. The setback requirement is intended to protect development from erosion or floodway hazards. In Yale, the historical evidence suggests a relatively stable river bank. This stability and the location of Front Street between the residential area and the river allows for establishing a setback line along Front Street, as shown on Schedule E of the Plan. In Dogwood Valley, properties adjacent to the Fraser River could be subject to erosion problems along the low river banks in this area. The setback line is therefore maintained 60 m from the river to ensure that the Ministry of Environment and Parks reviews proposed developments near the river before approvals are granted.

Flood elevation requirements are also established in the Plan. New buildings must be elevated at least 6 m above the natural boundary of the Fraser River, 3 m above the natural boundary of major streams and 1.5 m above the natural boundary of minor streams, consistent with Provincial policies. This classification is incorporated within the Plan policies.

Alluvial fans present special flooding and erosion concerns. Within alluvial fans, buildings should be elevated at least 0.6 m above natural ground level.

### 5.3 Fisheries and Wildlife

The Fraser River and adjoining streams provide important spawning and migratory habitat for salmon and other species of fish. The historical significance, and perhaps disturbance, of the fisheries is reflected in an 1882 report:

“Arriving at Emory, five miles below Yale, two young men from San Francisco reported immense numbers of salmon at the mouth of the Fraser just above. Going there I found it packed so full in places I counted, while standing in one position upon the railroad bridge, over four hundred different salmon. Mentioning the matter to a resident, he remarked, “Oh! that’s nothing. If you want to see salmon go to the next creek beyond”. Reaching there, after a walk of about four miles, and taking a position upon the bridge crossing it, I counted without moving, over 800 salmon...For a distance of several rods up from its mouth, the salmon were crowding in from the muddy Fraser, now again rapidly rising, almost as thick as they could swim, and in their desperate efforts to ascend the successive falls above presented a spectacle never before witnessed by the oldest native settler. Mr. John Woodworth, who has lived here for twenty-four years, says he never heard of the like...Getting aboard Mr. Onderdonk’s construction train, I rode along the river, fifteen miles to the end of the track. Millions was probably not much of an exaggeration, for although the river was quite muddy, schools of salmon, numbering thousands each, could be seen from the platforms of the cars, at short intervals, the entire distance. It is the opinion of those familiar with

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<sup>11</sup>Currie, M., Correspondence from the Water Management Branch, Ministry of Environment & Parks, June 19, 1987  
Fraser Valley Regional District  
Bylaw 0150  
Yale, Emory Creek, Dogwood Valley & Choate  
Portions of Electoral Area “B”

the habits of the salmon, that not one in a thousand succeeds in depositing their spawn, and that if hatching places were provided upon these streams, and protected that they could scarcely be exhausted, under proper restrictions as to catching them.”<sup>12</sup>

The main stem of the Fraser River is a major migratory route for millions of adult salmonids migrating upstream and later the juvenile salmonids migrating downstream. The lower reaches of Stulkawhits, Emory and Yale Creeks provide spawning and rearing habitat for limited numbers of these salmonids. The lower 0.8 km of Yale Creek is utilized by coho, chum, pink and steelhead<sup>13</sup>. The principal fisheries concerns have been identified by the Ministry of Environment and Parks<sup>14</sup>:

- maintaining water quality;
- preserving streamside vegetation;
- avoiding encroachments into the watercourses;
- minimizing instream works.

The Plan addresses these concerns through the setback of development from fish-bearing streams and the procedures for referring development applications to the Ministry of Environment and Parks. The environmentally sensitive areas are shown on Schedule D of the Plan.

The largely inaccessible hillsides in the Plan area, particularly the hydro transmission rights of way, provide good habitat for deer, black bear and other wildlife.

#### 5.4 Forests

The Plan area is located on the boundary of the Coastal Western Hemlock and Mountain Hemlock biogeoclimatic zones, and is dominated by Humo-Ferric Podzol soil types<sup>15</sup>. A small area near B.C. Nickel Mine Road in Choate is located within Dewdney Provincial Forest. Although there are only a few commercial logging operations in the Plan area, the access roads to merchantable timber are located within the settlement areas. The poor construction of an access road above Emory Creek has presented some specific environmental and geological hazard concerns.

Public meetings on proposed logging within Yale Creek watershed included discussion of community concerns that (a) water licenses on Yale Creek be protected (b) local labour and business benefit from the logging and (c) access into the watershed be constructed for long-term public use. Currently the lands immediately north of the townsite are in private ownership

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<sup>12</sup>Chittenden, N.H., Travels in British Columbia, Victoria, 1882

<sup>13</sup>Marshall et al, Catalogue of Salmon Streams & Spawning - Escapements of Chilliwack-Hope Subdistrict, Fisheries & Oceans Canada, Can. Data Report No. 203, 1980

<sup>14</sup>Teskey, J. Correspondence from the Fish and Wildlife Branch, Ministry of Environment and Parks, May 7, 1987

<sup>15</sup>Valentine, K.W.G. et al. eds.) The Soil Landscapes of British Columbia, Resource Analysis Branch, Ministry of Environment, Victoria, 1978  
Fraser Valley Regional District  
Bylaw 0150  
Yale, Emory Creek, Dogwood Valley & Choate  
Portions of Electoral Area “B”

and no legal access is available to the Yale Creek or to Crown Lands beyond the private holdings.

#### 5.5 Agriculture

There are very few properties assessed as farm within the Plan area. Some small hobby farms with horses and cattle exist in the Choate and Dogwood Valley area, and there is some potential for small scale agricultural production ancillary to rural residences. The Dogwood Valley area is proposed for future residential subdivision and, therefore, it will be necessary to prevent land use conflicts between hobby farms and rural residential uses.

There is approximately 173 hectares of Agricultural Land Reserve located in the Emory Creek/Dogwood Valley/Choate area. Given the extent of previous exclusions from the Agricultural Land Reserve and subsequent subdivision, consideration should be given to excluding the remaining area from the Agricultural Land Reserve, as recommended by the staff of the Agricultural Land Commission<sup>16</sup>

#### 5.6 Mineral and Aggregate Resources

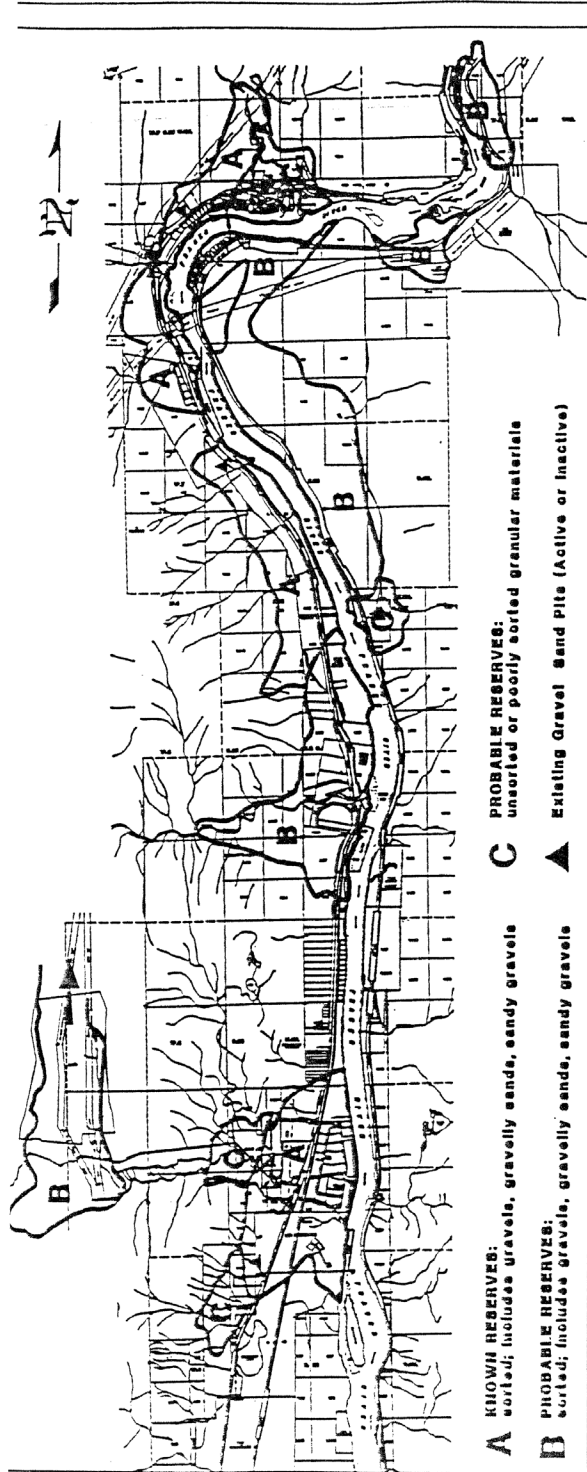
The Plan area has a rich history of prospecting and mining activities. The major focus has been placer gold exploration on the Fraser River. There are existing placer leases on the Fraser River near Yale. The Ministry of Employment and Investment, Mines Branch has summarized mineral resources:

There are numerous placer leases along the Fraser River and in the designated placer area to the east of Yale. There are several mineral claims located near to these communities where exploration is being conducted and many more claims covering the highly mineralized zone to the east. A recreational jade panning reserve has been established for this portion of the Fraser River so the public can enjoy jade "rockhounding" in the area.

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<sup>16</sup>Murdoch, R.P., Correspondence from the B.C. Agricultural Land Commission, May 5, 1987





**A** KNOWN RESERVES:  
sorted; includes gravels, gravelly sands, sandy gravels

**B** PROBABLE RESERVES:  
sorted; includes gravels, gravelly sands, sandy gravels

**C** PROBABLE RESERVES:  
unsorted or poorly sorted granular materials

▲ Existing Gravel Sand Pits (Active or Inactive)

m 0 400 800 1200m

**AGGREGATE RESOURCES  
FOR PORTIONS OF ELECTORAL AREA "B"  
YALE, EMORY CREEK DOGWOOD VALLEY, CHOATE**

Figure 4 - Part I

PRINTED: OCT.20, 1997

There are no known mineral occurrences located within the Plan area boundaries themselves. However, there are several occurrences to the west of Yale and the former Pride of Emory Mine is located some 10 kilometers west of Dogwood Valley. To the east of both communities are many gold occurrences and deposits, the most significant being the former Carolin Mines. The Fraser River itself is noted for placer gold. Because of the known mineralization in the general area, mineral exploration can be expected to actively continue, particularly gold exploration. There are no petroleum and natural gas tenures in this area. The Energy Resources Division advise that there is a possibility that another transmission line may be added to the two existing lines at some future point. However this is not planned in the short term<sup>17</sup>

The location of known and probable aggregate resources is shown on Figure 4. Known sand and gravel deposits exist along the alluvial areas associated with the side streams flowing into the Fraser River. There are existing gravel pits in the Yale and Gordon Creek area.

### 5.7 Parks, Recreation and Scenic Resources

There are two major parks in the Plan area. These are: Emory Creek Provincial Park and the heritage precinct containing St. John the Divine Church and the Yale Museum. The Provincial Park campground provides 34 camping sites and accommodates approximately 4,500 visitor nights per year (1996). The Yale Museum and gift shop is attended by more than 8,500 visitors per year (1996) .

A minimal community park function and service area has been established for ownership of community park land in Electoral Area "B". The primary purpose for the function at this point however, is to reserve identified land in public ownership, not to provide for developed community parks.

Three other areas of existing and future park potential exist in the area. In Yale, a proposal for a waterfront park has been ongoing. There is also further potential for park development along the abandoned highway to Lady Franklin Rock and, in Dogwood Valley, a park reserve has been designated adjacent to the Fraser River.

Hiking trails to Spirit Caves near Yale, to Douglas Portage and Yale Creek Watershed could also provide increased recreational opportunities.

Various reports identify the Yale waterfront as having significant recreation and scenic resources.<sup>18, 19</sup> Access to the Fraser River is rare, and planning policies should therefore seek to

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<sup>17</sup>Ratel, A., Correspondence from the Ministry of Employment and Investment, Mines Branch, April 13, 1987

<sup>18</sup>Tera Environmental Consultants Ltd., Long Term Environmental Implication to the Fraser and Thompson River Corridors Due to Transportation Related Activities, FEARO, Vancouver

<sup>19</sup>Development Branch, Ministry of Tourism and Urban Systems Ltd., "Fraser-Thompson Corridor Tourism Development Strategy", May 1986

protect available recreational access and opportunities. Moreover, these sites and trails can provide a basis for developing tourism and enhancing the community environment. The Yale community has been working for many years to establish a waterfront park and to facilitate resident and tourist access and use of the Fraser River waterfront. The Fraser Valley Regional District has made application to the Ministry of Environment, Lands and Parks to use and develop the waterfront lands as a community park. It is also important, however, that any park development along the waterfront should retain the lands in their natural state as much as possible.

## 5.8 Heritage Resources

The extensive archaeological and historical sites in the Plan area require protection and provide opportunities for interpretation of heritage resources. The development of the waterfront park in Yale, for example, will provide a focus for presenting the history of Yale and of the Province. Improvements to the Heritage Conservation Branch properties will also enhance the visibility of the site and the potential visitor use.

There are five recorded archaeological sites in Dogwood Valley and four in the Yale Plan area, primarily Indian habitation sites<sup>20</sup>. Yale also has a variety of historical remnants such as vaults, stone walls, steamboat moorage rings and three old cemeteries (Colonial, Indian, Chinese). There are also many traditional Indian fishing sites around Yale and Emory Creek<sup>21</sup>. Undoubtedly, large numbers of undiscovered Indian and European archaeological sites exist in the area and future land development could inadvertently disturb these sites if precautions are not taken. An important prehistoric Indian village site (the Milliken site) which Simon Fraser referred to as the “Village of the Bad Rock” is also located adjacent to the Plan area, next to Lady Franklin Rock. This is a Provincially designated heritage site where extensive archaeological excavation has been undertaken.

The Heritage Conservation Act protects designated heritage sites and all archaeological sites from disturbance and destruction. Early involvement of the Heritage Conservation Branch is necessary in order to identify known or potential development impacts upon heritage resources. Policies in the Plan recognize the need to consult with the Branch in areas of high potential for heritage sites.

The Yale Development Program also includes a set of design plans to provide for interpretation of historic sites at the heritage precinct, along the waterfront and through a self-guided walking tour of heritage sites.

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<sup>20</sup>Suttill, D., Correspondence from the Heritage Conservation Branch, May 25, 1987

<sup>21</sup>Joseph S. et al, Upper Sto:lo Impact Study, Re: Twin Track Project, Sto:lo Nation, Sardis, B.C., 1983

## 6. MAJOR ISSUES

The major concerns and issues for the community were identified during public meetings, open houses and advisory planning commission meetings. These are briefly described below.

### 6.1 Economic Stability

The decline in population in Yale and the reduced highway traffic using the Fraser Canyon route has imposed some economic hardships on the community. Employment opportunities, improved commercial business and a wider tax base are necessary to ensure that a viable community and essential local services can be maintained. The continued operation of the school and other social services is another concern associated with community survival.

### 6.2 Land Use

The small size and narrow shape of lots in Yale and Dogwood Valley have presented sewage disposal and water supply problems. In Yale, the density of future land use should be controlled so as to avoid having to construct a sewer to manage wastes. In Dogwood Valley, land use should be suited to on-site services and community wells should be encouraged. Residents also expressed a need to avoid conflicting land uses, particularly related to agriculture, residential and recreational uses.

### 6.3 Road Improvements

Changes to the Emory Creek Road turnoff and the construction of a traffic light in Yale have apparently decreased traffic hazards in recent years. School bus pick-up and drop-off locations are a particular concern of the community. Residents are especially supportive of efforts to correct highway safety hazards, to establish legal road access and to revitalize the commercial area in Yale. Residents are of the opinion that a highways access plan should be prepared to address these concerns.

### 6.4 Railway Operations

Regarding railway operations, concerns focused on providing or maintaining safe railway crossings, safe transport of hazardous materials, avoiding lengthy blockage of crossings and controlling noise and coal dust from railcars. Remedial action is required to lessen the impact that railway operations have on the community.

### 6.5 Heritage Conservation

The proposed major improvements to the heritage precinct and the development of the waterfront park provide new opportunities for protecting and interpreting historic sites. The community is actively involved in heritage conservation activities. The future objectives are to enhance the heritage precinct as a centrepiece to the Yale "village", to expand interpretive displays at the waterfront and to develop a heritage walking tour.

It shall be the policy of the Regional Board to preserve the authentic original-sized lots in Yale for possible future heritage revival of Yale's historic past. Wherever possible Yale's

original sized lots and lotting patterns, as surveyed by the Royal Engineers, shall be preserved.

#### 6.6 Tourism Development

Residents are supportive of the need to develop tourism opportunities in the Plan area, while protecting residential areas from disturbance. It is recognized that community development in Yale will depend, in large part on improving the attractiveness of the community for visitors, and particularly developing a distinctive village identity to Yale.

#### 6.7 Commercial Area Improvements

Parking and signing for the commercial businesses along the highway, as well as the general appearance of the commercial area, are the central issues for the community. The limited parking and the array of hand-made signs are occasionally a source of conflict. The Plan should endeavor to expand parking facilities, to designate an overflow parking area for river rafters and to control the number and location of commercial signs.

## 7. YALE DEVELOPMENT PROGRAM

During the preparation of the first OCP in 1987, the concerns about the future of Yale led to the creation of a local development program to identify and implement opportunities for economic and community development. Such development actions are necessary to stem community decline. Population decrease lowers the local tax base, which in turn increases average taxes, decreases the ability to finance community services and further discourages new growth. Community survival in Yale is dependent upon local initiatives to break this cycle of decline.

The Yale Development Program involved the concurrent preparation of an Official Community Plan, an Economic Development Strategy and a Heritage Sites Development Plan. A series of development projects were selected and designed to facilitate community-based development. The Program was jointly funded by the Ministry of Municipal Affairs and Transit (Planning Grant and Partners in Enterprise Program), the British Columbia Heritage Trust (Community Heritage Development Projects), the Economic Development Commission of the former Regional District of Fraser-Cheam and the former Yale Enhancement Society. A separate grant was also provided by the Heritage Conservation Branch for the preparation of a site plan for the Provincially owned historic church and museum.

In addition to the formulation of planning policies which encourage development, detailed design plans were prepared by four University of British Columbia School of Architecture students, who were employed under contract by the former Regional District of Fraser-Cheam for the summer of 1987. The design plans, attached as Schedule 2 to this Background Report, and the companion Yale Economic Development Strategy were prepared through a series of community meetings and open houses. Specific proposals were developed for the highway corridor, the heritage precinct, the waterfront parks and a historic interpretive walk through the community.

These designs provide an interesting and challenging perspective on possible futures for the Yale townsite. They are advisory only, and are not intended as construction or regulatory guidelines for the development of Yale. Therefore, they are attached to this plan simply to record the efforts of the Yale Development Program and to provide for further discussion and review of Yale's future. The present and future residents of the community and their collective vision for growth and change will determine the development patterns for the community of Yale.

## **PART II**

### **SCHEDULE A**

#### **Official Community Plan for Yale, Emory Creek, Dogwood Valley and Choate Bylaw No. 0150,1997**

##### **1. INTRODUCTION**

In accordance with Sections 876, 877, 878, 879, 880, and 881 of the Municipal Act, the Official Community Plan identifies the general pattern of existing and future land use, the appropriate level of services and the conditions under which land may be developed or altered. Within the area designations, specific zoning bylaws will prescribe the form and character of development. Some areas may be designated in anticipation of long term land use change to accommodate future growth.

The General Policies section describes the effect of the Plan, provides an index to permitted uses, describes special circumstance procedures for nonconforming uses and presents the policies regarding review and amendment of the Plan. This is followed by specific Area Designation policies in conjunction with the maps of Schedule B. Detailed policies are then presented for Development Services, Roads and Transportation, Environmental Protection, and Community Parks and Social Services. This is followed by the rationale, designation and guidelines for Development Permit Areas. Finally, policies are established regarding Temporary Use Permits.

Particular attention should be given to the wording of the Regional Board policies contained in the Plan:

“shall” describes an imperative course of action which is within the scope of the Regional Board’s powers to provide, enact, regulate or enforce;

“should” describes a desirable course of action to be taken by the Regional Board or other body or person;

“may” describes a permitted course of action which is available to the Regional Board or other bodies or persons; and

“will” describes a result to be expected on the basis of present information.

The land area designations and policies apply to areas shown on the maps of Schedule B. Each area designation contains the following:

DESCRIPTION is a brief outline and general summary of the purpose and rationale for the designation. The formal statements of Regional Board policy are grouped under the four following sub-headings.

GENERAL POLICIES are the policies of the Regional Board regarding the amount and location of land to be designated and the local and regional development policies in a particular land area designation.

DESIGNATION POLICIES state the type of land placed in a particular designation and the conditions for extending existing areas or creating new areas in the designation as provided for through Plan amendment.

USE POLICIES list the uses that may be permitted on lands within a designation and, in some cases, state the standards under which a given permitted land use must be developed.

SUBDIVISION POLICIES specify the minimum lot size permitted for new subdivisions within a designation under various servicing and other conditions.

## 2. COMMUNITY PLAN OBJECTIVES AND DEVELOPMENT CONCEPT

The Official Community Plan objectives for Yale, Emory Creek, Dogwood Valley and Choate are displayed on Table 1. These objectives guide the formulation of policies and the implementation of the Plan. They are derived from a review of land use problems, from the comments of local property owners and from the policies of Provincial and Federal government agencies. Achieving these general objectives will require a careful balancing of priorities in specific situations.

The area designations and policies in Section 4 of the Plan encourage the development of two distinct communities at Yale and Emory Creek/Dogwood Valley/Choate. These designations and policies were formulated on the basis of terrain, hydrological and other physical characteristics, existing land use and subdivision, highway and road safety concerns, development servicing needs, and the requests and suggestions of property owners and government agencies.

In addition to the Plan area designations and policies, Special Circumstances policies are established for the approval of certain nonconforming land uses and development within areas which are subject to geological hazard.

Figure 1 provides a graphic summary of the general development concept of the Plan. The specific policies and area designations which activate this concept are described in subsequent sections of the Plan and on the maps in Schedules B - E to the Plan.

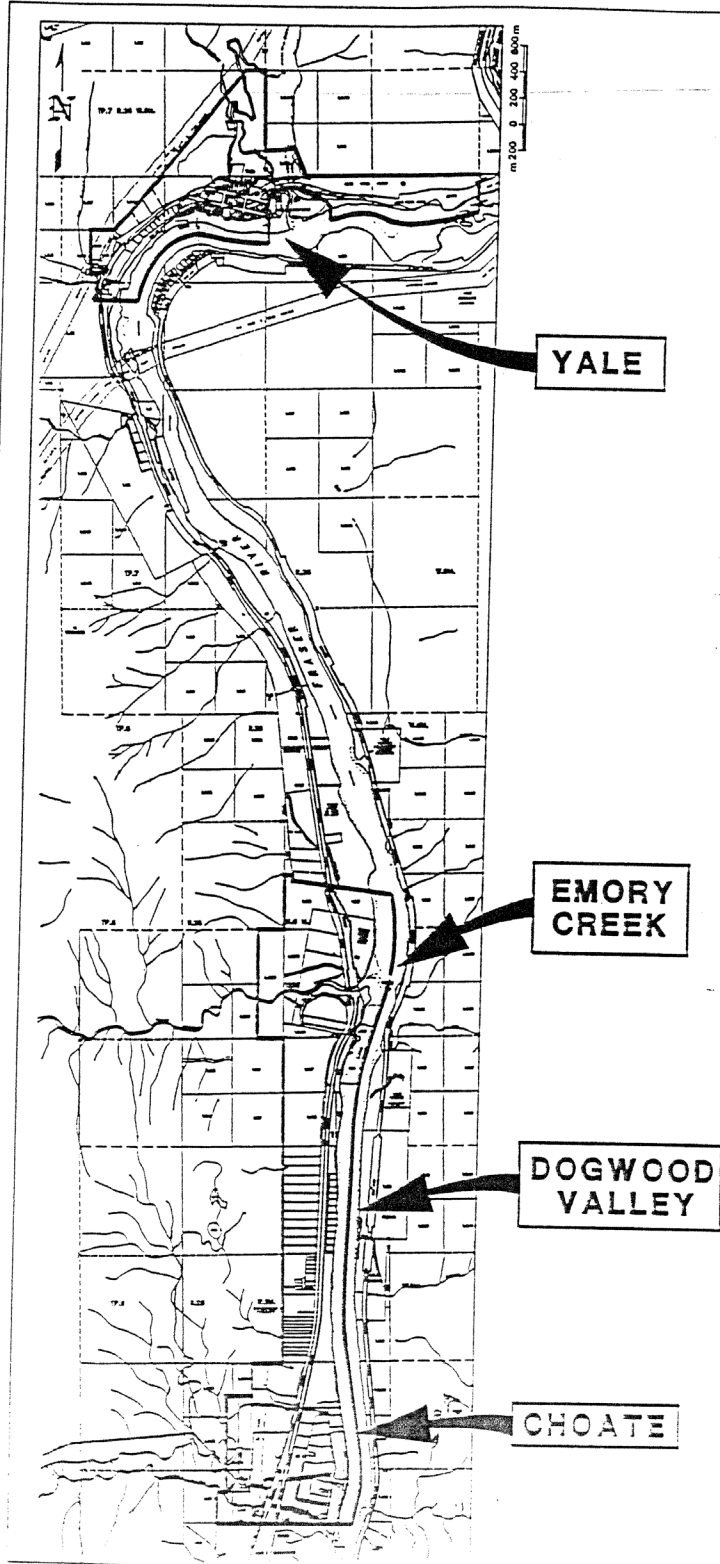
The general development concept of the Official Community Plan can be summarized as follows:

- Village residential and commercial, rural residential and recreational land uses in Yale, recognizing the constraints associated with long-term on-site sewage disposal and the need to enhance heritage conservation and develop tourism.
- Rural residential and recreational land uses in Emory Creek, recognizing environmental and geological hazard constraints and the need for safe highway and road access.



- Rural residential and highway commercial land uses in Dogwood Valley, recognizing potential increased development and providing for safe highway and road access and long term community water supply development.
- Rural residential and small-scale agricultural land uses in Choate, recognizing the need for compatible land use and safe highway and road access.

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**COMMUNITY PLAN AREA**  
**FOR PORTIONS OF ELECTORAL AREA "B"**  
**YALE, EMORY CREEK, DOGWOOD VALLEY, CHOATE**

Figure 1 - Part II  
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TABLE 1: OFFICIAL COMMUNITY PLAN OBJECTIVES

<p><u>Health Protection</u></p> <p>Ensure adequate on-site sewage disposal for the long term future and encourage development and maintenance of community water systems.</p>	<p><u>Community Enhancement</u></p> <p>Encourage the development of Yale, Emory Creek, Dogwood Valley and Choate, each with their own distinct identity, through land use controls and public and private improvements.</p>
<p><u>Safe Transportation</u></p> <p>Provide safe access on to and off of the Trans Canada Highway, safe pedestrian routes and the development of a suitable road network for local traffic.</p>	<p><u>Economic Stability</u></p> <p>Encourage expanded work opportunities and develop long-term economic growth and prosperity for the community.</p>
<p><u>Natural Hazard Protection</u></p> <p>Direct development away from lands susceptible to flooding, erosion and geological hazard and ensure the safety of building sites prior to approval for development.</p>	<p><u>Heritage Conservation</u></p> <p>Protect and facilitate the use, conservation and interpretation of heritage sites and encourage local involvement in heritage conservation.</p>
<p><u>Environmental Conservation</u></p> <p>Plan and develop land use and access so as to protect sensitive fish and wildlife habitat and community water supply areas.</p>	<p><u>Flexible Implementation</u></p> <p>Provide flexibility in implementing land use policies to accommodate the wishes and directions of the community, wherever possible.</p>
<p><u>Compatible Land Use</u></p> <p>Regulate new development in a manner which avoids conflicting uses and standards, protects property values and recognizes local needs and preferences.</p>	<p><u>Community Consultation</u></p> <p>Provide adequate opportunity for consultation between local property owners, Regional District staff and the Planning and Development Committee of the Regional Board in the application of planning policies.</p>

### 3. LAND USE POLICIES, EFFECTS AND REVIEW PROCEDURES

#### 3.1 Effect of the Plan

3.1.1 In accordance with the provisions of the Municipal Act, the Regional Board is required to comply with the policies of this Official Community Plan as follows:

- (a) A zoning bylaw enacted prior to the effective date of this Plan is not altered by this Plan. Where such a bylaw is amended, the amending bylaw must be consistent with the provisions of the Official Community Plan.
- (b) In accordance with Section 884 of the Municipal Act, the adoption of this Plan does not commit the Regional Board or any other governmental body to undertake any project outlined herein, nor authorize the Regional Board or any other governmental body to proceed with a project except in accordance with the procedures and restrictions laid down by any Act.
- (c) In accordance with Section 884 of the Municipal Act, all bylaws enacted and works undertaken by the Regional Board shall be consistent with the Official Community Plan.

3.1.2 A legally established land use which does not conform to the zoning bylaws may be rezoned to render it conforming regardless of the use policy for the land area designation in which it is located, provided that rezoning applies only to that portion of the parcel in which the nonconforming use is situated.

3.1.3 The area designations and policies of this Plan do not apply or may not be binding on lands or resources owned and administered by federal and provincial governments or on Indian Reserves. However, the provisions of the Plan should be taken into account by those bodies as an expression of Regional Board objectives and a basis for co-operation between different levels of government.

Should a government ministry or agency propose a development which is contrary to the policies of this Plan, then the Responsible Authorities are encouraged to make application for plan amendment as outlined in this Plan. Not only would the application allow the Board to express its interest in the proposed development and provide for public input at a local level, but this procedure will enable the Regional Board to adjust its policies for adjacent lands over which it has jurisdiction thereby securing integrated and compatible development throughout the Plan area.

3.1.4 Consolidated Zoning Bylaw: The Board intends on consolidating and updating all nine zoning bylaws within the Regional District for the limited purposes of creating one new, more user-friendly, region-wide consolidated Zoning Bylaw applicable to all electoral areas. It is a policy of the Regional District that this Plan facilitates that zoning bylaw consolidation including by not requiring that all regulations applicable to each property and each zone implement fully the policies and land use designation of this Plan. While an objective of the consolidation is to avoid significantly altering the regulations applicable to any particular parcel of land or zone, there will inevitably be different regulations in certain instances as the current zoning bylaws were adopted between 1976 and 1992, and many similar zones can and should be consolidated. Where similar

zones have different regulations, it is generally intended the most permissive would apply, and permitted land uses would not be taken away with the consolidation, which may result in land uses becoming available after the consolidation. Therefore, OCP Policies in this Plan, including land use designations and zone categories, permitted uses, densities, and subdivision regulations for the creation of new parcels, are, where necessary to achieve consistency, expanded to include the existing regulations under the various zoning bylaws and the new consolidated zoning bylaw. For certainty, these accommodations are limited to the Consolidated Zoning Bylaw Project and the situation where the existing zoning of a property or new consolidated zoning bylaw permits a use, density, or other development regulation different than otherwise identified in this Plan; by virtue of this provision, this Plan incorporates and permits those zoning regulations for that property such that there is no inconsistency with this Plan. Also, lands that have no zoning, may continue as such in the new zoning bylaw. However, all subsequent amendments to the new zoning bylaw must be consistent with this Plan without recourse to this policy. *[Bylaw No. 1668, 2022]*

### 3.2. Permitted Uses

The area designations provide for a range of land uses and the conditions of use. The permitted land uses are identified within the policies for each area designation, and in greater detail in the zoning bylaws. A summary index of the permitted land uses in area designations is provided in Table 2 as a general reference. Specific conditions of such uses may apply, as prescribed in zoning bylaws and other regulations.

It is the Regional Board's policy that:

- 3.2.1 New land uses shall accord with the area designation use policies and the permitted land use matrix in Table 2, subject to policies of 3.2.2 and 3.3.4.
- 3.2.2 Where an existing legally established use is at variance with the use policies of the area designation, an extension of that use into an adjacent portion of the same parcel may be permitted by rezoning up to a maximum of 50% of the area of the existing use, provided that it does not conflict with surrounding land uses, natural hazards or environmental sensitivities.
- 3.2.3 Single family residential uses shall be permitted in all area designations with the exception of Park designations where allowance is made for employee residence. Second dwellings shall be permitted for agricultural and campground assistants and for care of a relative. Zoning regulations may also be established to permit second dwellings, under certain conditions, on large parcels greater than the minimum parcel size for subdivision, in areas designated Rural and Limited Use.
- 3.2.4 Commercial landing, processing, selling or buying of fish intended for human consumption at the banks of the Fraser River or tributaries in developed areas require a Fisherman's Vending License from the Ministry of Agriculture, Fisheries and Food and are subject to municipal Health inspections. In addition, proposed fish wholesale or retail operations at a home setting shall require an application to the local Environmental Health Officer for review and approval.

Through agreement between local Indian Bands and the Ministry of Fisheries and Oceans, proposed operations by aboriginals for fish buying or selling or fish processing stations along the banks of the Fraser River are directed to specified landing sites and require the filing of forms and other information with the Ministry.

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TABLE 2: AREA DESIGNATION AND PERMITTED LAND USES

Permitted Land Uses*	Village Centre	Highway Commercial	Rural	Limited Use	Park
<u>Residential</u>					
Single Family Residential	x	x	x	x	
Associated Country Residential			x	x	
Associated Rural Residential			x	x	
<u>Commercial</u>					
Local Commercial	x				
Highway Commercial	x	x			
Campground			x	x	
<u>Industrial &amp; Resource</u>					
Resource & Service Industry				x	
Resource Extraction			x	x	
Agriculture			x	x	
Intensive Agriculture			z	x	
<u>Institutional</u>					
Low Density Commercial Recreation			x	x	
Outdoor Recreation				x	
Park & Park Reserve	x	x	x	x	x
Semi-Public Use	x	x	x	x	x
Public Uses	x	x	x	x	x

\* Applies to new uses only, subject to Area Designation policies in Section 4

z Only where land is included in the Provincial Agricultural Land Reserve will intensive agriculture be permitted, pursuant to Provincial statute.

### 3.3 Special Circumstances

Legally established existing land uses which are not permitted uses in the zone within which they are located, are considered to be nonconforming under Section 911 of the Municipal Act. Most nonconforming uses are associated with development which was constructed before zoning bylaws were established.

In many cases, the appropriate existing zone to establish conformity is not an acceptable option, although continuance of the use under certain restrictions may be acceptable. In recognition of these special circumstances, three classes of nonconformity are defined in order to provide guidelines for further actions by the Board.

In addition to nonconformity situations, limited use circumstance policies are established for properties with potential geological hazards. The four categories of special circumstances are summarized on Table 3 and discussed below.

TABLE 3: SPECIAL CIRCUMSTANCES				
	Class I Nonconformity	Class II Nonconformity	Class III Nonconformity	Limited Use Circumstances
Land Use Circumstances	non-conforming land use under zoning bylaw	non-conforming land use but compatible with surrounding uses and not hazardous	siting of buildings and structures non-conforming with siting regulations	land located within Development Permit Area 1-B and designated LIMITED USE
Board Policy	no special action rely on Section 911 of the Municipal Act	opportunity to apply for rights to continue existing use and to rebuild to same scale	opportunity to apply for rights to continue existing building and structure siting and to rebuild to same scale	opportunity to apply for rezoning or to vary subdivision regulations in accordance with a geotechnical study
Implementation Process	bylaw enforcement procedures	rezoning application, public hearing and covenant registered on title	development variance permit application and public meeting	geotechnical study and rezoning application and/or development permit application



**“Class I nonconformity”** involves a land use, legally established prior to enactment of the zoning bylaw, which is not included as a permitted land use in the present zoning of the property. Under Section 911 of the Municipal Act, such a nonconforming use is permitted until discontinuance of the use or until the building or structure in which the nonconforming use is taking place is destroyed. In these situations, existing land uses are considered nonconforming, and long-term use rights are limited to those in Section 911 of the Municipal Act, and the Board will take no action. Fortunately, there are relatively few of these inappropriately located uses in the community plan area.

**“Class II nonconformity”** involves a land use, legally established prior to enactment of the zoning bylaw, which is not included as a permitted land use in the present zoning of the property, but whose continued existence under certain conditions and restrictions, would not create a serious hazard or conflict with surrounding land uses. Often, however, the long legally established use cannot be rendered conforming through rezoning because such zoning would permit the expansion of the use or the addition of other related uses which could prejudice neighbouring land values or amenities or create a hazard. In such cases, where the applicant indicates a desire to negotiate a covenant with the Regional Board limiting future uses, buildings and structures to those legally established at present, upon application for rezoning, the Board may rezone to an “open zone” allowing many uses, and most land use regulations would reside in the covenant. The public hearing which is required for rezoning is the critical component of this process. The covenant would restrict future development and use of the property to existing levels but would allow the landowner to secure a long-term right to use and to rebuild existing buildings and structures, though not necessarily with the same siting, in the event of destruction by fire or other causes.

**“Class III nonconformity”** involves a land use which is appropriately zoned, but where buildings and structures do not meet current building or siting regulations in the zoning bylaw and will not be able to meet such regulations in the event of a need to reconstruct the building and structure.

Upon application of the landowner, the Regional Board is prepared to consider, subsequent to a public meeting, the issuance of a development variance permit which would have the effect of varying the siting regulations and rendering the building and structure conforming, provided that no increase in density is permitted. This procedure allows the landowner relief from specific building and setback regulations and thereby secures the right to rebuild on the existing site for the long term. The right to repair, alter and extend any building and structure which might be eligible for a development variance permit is protected, subject to certain limitations, by 911 of the Municipal Act.

**“Limited Use Circumstances”** involve lands which are subject to geological hazards within Development Permit Area 1-B and designated LIMITED USE. In addition to procedures for reducing nonconformity, special consideration is given to properties with limited use constraints imposed by geotechnical problems so as to offset these constraints by allowing greater flexibility in the use of land within safe building areas. Siting and subdivision policies may be altered by development permit and development variance permit in accordance with the results of a geotechnical study.

It is the Regional Board's policy that:

- 3.3.1 To streamline the building process and to minimize hardships for landowners, the Regional Board intends to reduce nonconformity wherever possible in the Plan area and will give special consideration to the problems created by geotechnical hazards in accordance with the conditions and procedures set out in policies 3.3.2 - 3.3.4.
- 3.3.2 In cases of "Class II nonconformity" of land use, where neighbouring property values and amenities would not be prejudiced and where there is no hazard to public health and safety, the Regional Board may, upon application of the landowner and upon the offer of a covenant by the landowner subsequent to a public meeting, rezone a property to an open zone and enter into a covenant pursuant to Section 219 of the Land Title Act or other legal agreement. The terms of this instrument would not change without a further public meeting and would have the effect of limiting the uses to those presently existing or to other uses deemed to be desirable and of permitting existing buildings and structures to be rebuilt at the same scale.
- 3.3.3 In cases of "Class III nonconformity" of buildings and structures, where a land use is appropriately zoned but exists in a building(s) or structure(s) which do not meet current building and siting standards, the Regional Board may, upon application of the landowner and subsequent to a public meeting, issue a development variance permit the terms of which would not change without a further public meeting, and which would have the effect of rendering the siting of the building(s) and structure(s) conforming.
- 3.3.4 In cases of "Limited Use Circumstances", notwithstanding the area designation policies of the Plan, parcels of land wholly or partially located within Development Permit Area No. 1-B, involving lands within the area of high geological hazard potential, may be used and subdivided in accordance with the following:
  - (a) where a parcel of land is located entirely within Development Permit Area No. 1-B and designated LIMITED USE and where the owner offers to register a covenant against the title of the land preventing further subdivision or restricting uses, the Regional Board may issue a development permit to vary the permitted use or density pursuant to Section 920 (4)(5) of the Municipal Act or to vary the minimum parcel size for subdivision where a geotechnical study identifies safe building sites for each parcel;
  - (b) where a portion of a parcel of land is located within Development Permit Area No. 1-B and designated LIMITED USE and another portion of the parcel lies outside Development Permit Area No. 1-B and within another area designation which allows for smaller parcel sizes for subdivision, and where the owner offers to register a covenant against the title of the land preventing further subdivision or restricting uses, the Regional Board may issue a development permit to apply the smaller minimum parcel size to the entire parcel provided that, (i) the LIMITED USE restrictions remain on the portion of land within Development Permit Area No. 1-B and (ii) each new parcel includes land which is not designated LIMITED USE; and
  - (c) where a parcel is located entirely or partially within Development Permit Area No. 1-B and designated LIMITED USE and where the owner offers to register a

covenant against the title of the land preventing further subdivision or restricting uses, the Regional Board may rezone the land to permit or prohibit uses in keeping with the results of a geotechnical study.

3.3.5 Within the areas designated for Temporary Use Permits described in Section 10 of the Plan, on the application of an owner of land, a Temporary Use Permit may be issued to guarantee continuity of use rights to nonconforming industrial or commercial uses for a period of up to two years, and may be renewed once.

### 3.4 Review and Amendment

The Official Community Plan will require review and amendment to take account of major changes in land use objectives and policies and development pressures.

A major review of the Plan should occur every 5 years. This involves a reconsideration of objectives and policies. Population and development forecasts will be updated, issues will be reviewed, and the Plan will be examined in light of new regional growth demands and trends.

From time to time, the Plan may also be amended to allow for a development or project of major significance or a series of development proposals which warrant revision of the policies within the Plan. The Official Community Plan may be amended through two procedures.

First, applications for rezoning to permit developments which do not comply with the Plan will be accompanied by applications for amendment of the Plan. The Board may reject the application or initiate Plan review and amendment procedures, in accordance with the provisions of the Municipal Act and the Regional District Development Procedures Bylaw No. 683.

Secondly, the Board may periodically initiate a review and amendment of the Plan where warranted by development trends or new information regarding natural hazards, or at the request of local, provincial or federal governments. Such reviews should be substantially justified by new circumstances and provide ample opportunity for public input.

It is the Regional Board's policy that:

3.4.1 The Official Community Plan should be reviewed at intervals not exceeding five years and this review should be followed by appropriate amendments to guide development and land use for the following five years.

3.4.2 The Official Community Plan may be reviewed and amended where deemed necessary by the Board and only after a public hearing and in accordance with the provisions of the Municipal Act.

3.4.3 All rezoning applications which are inconsistent with the Official Community Plan shall be accompanied by applications for amendment to the Plan. For certainty, rezoning applications pursuant to Sections 3.1.2, 3.1.4, 3.2.2 and 3.3.2 shall not require Plan amendments. *[Bylaw No. 1668, 2022]*

3.4.4 Applications for amendments to the Plan may be made to the Regional Board, in accordance with the provisions of the Municipal Act and Development Procedures Bylaw No. 0041, and the Development Application Fees Bylaw No. 0050, 1996.

### 3.5 Public Consultation

Implementation of the Official Community Plan and the related Economic Development Strategy depends upon community support and co-operation. The Regional Board will endeavor to maintain and improve the opportunities for public consultation on planning and development matters. Property owners and residents are encouraged to consult with Regional District staff and Board members on issues which affect the community. The policies reinforce the commitment to open discussion and local involvement in community development.

Is the Regional Board's policy that:

- 3.5.1 Property owners and residents are invited to meet privately or in groups with Regional District staff and the Planning and Development Committee of the Board to discuss individual or local concerns.
- 3.5.2 Regional District staff will, where requested, assist in coordinating discussions between property owners and residents and Provincial agencies on matters of land use, roads and services.

## 4. AREA DESIGNATIONS

The area designations provide a policy framework for guiding land use and services in keeping with the Official Community Plan objectives. Zoning bylaws and other regulatory bylaws provide a means of implementing the area designation policies. The area designations are summarized below:

VILLAGE CENTRE	residential, commercial and public land uses on small lots in Yale, with community water supply and on-site sewage disposal for the long term.
HIGHWAY COMMERCIAL	highway commercial and local commercial land uses in Dogwood Valley, with on-site sewage disposal and future community water supply for the long term.
RURAL	rural residential and commercial recreation land uses on large lots and small acreage in Yale and Dogwood Valley, with on-site sewage disposal and individual wells or future community water supply for the long term.
LIMITED USE	rural residential, group camps and resource extraction land uses on acreage in the Plan area, with on-site services for the long term.
PARK	community and provincial parks and reserves for public recreation or conservation.

## 4.1 VILLAGE CENTRE

### Description

The major purpose of the VILLAGE CENTRE designation is to provide for an attractive, moderate density, residential and commercial settlement at Yale. The policies within this designation encourage the development of a distinct hamlet and expanded work opportunities within a viable local economy.

The boundaries of the VILLAGE CENTRE designation are based upon the existing and potential small-lot development in Yale which is generally free from topographic, natural hazard and access constraints. The VILLAGE CENTRE area includes residential, commercial, park, school and transportation land uses. Some potential for new subdivision, involving approximately 20 lots, is possible near the school. However, the major issue in Yale is the present use of land and the potential for new development on existing vacant lots with on-site sewage disposal. The VILLAGE CENTRE area and adjacent PARK area are intended to promote new development and community improvements which will enhance the residential and tourism attractiveness of Yale.

The VILLAGE CENTRE area in Yale has considerable scope for in-fill development of vacant lots. Many of the lots are less than 700 m<sup>2</sup> and therefore provide only the minimum area for on-site sewage disposal. The Plan policies recognize and encourage development of these properties while maximizing the site area reserved for long-term sewage disposal. The major emphasis is upon ensuring adequate reserve areas for future sewage disposal and protecting the tax base from the need to construct sewers.

The VILLAGE CENTRE area policies also facilitate the implementation of the commercial area, heritage precinct and waterfront park design projects as a long-term program of community improvement. The compatibility of adjacent commercial, residential, heritage conservation and recreational uses is a particular focus of concern in the VILLAGE CENTRE AREA.

It is the Regional Board's policy that:

### General Policies

- 4.1.1 The VILLAGE CENTRE area is established to provide for and to protect residential, commercial and heritage conservation land uses, and regulations should encourage the compatibility of such uses.
- 4.1.2 New land uses should be planned, approved and constructed on the basis of adequate provision for full on-site parking and sewage disposal.
- 4.1.3 In order to provide for long-term on-site sewage disposal within a safe residential environment, the maximum site coverage in residential zones in the VILLAGE CENTRE AREA shall be 30 percent where a property is served by community water supply and 20 percent where it is not served by community water supply.

### Designation Policies

- 4.1.4 The Plan designates as VILLAGE CENTRE the area of contiguous existing and potential small-lot residential and commercial development in Yale which is physically suitable for development and served by an approved community water system, as shown on Schedule B of the Plan.
- 4.1.5 The VILLAGE CENTRE shall not be extended until: (a) a substantial amount of the vacant lots have been developed; (b) areas of proposed VILLAGE CENTRE designation are shown to be free from natural hazards and suitable for long-term on-site sewage disposal; and (c) the appropriate development cost charges are established for extension of the community water system.

#### Use Policies

- 4.1.6 The VILLAGE CENTRE area may be used only for single family and duplex residential uses, local and highway commercial uses, accessory residential, park and park reserve and public and semi-public uses.
- 4.1.7 Due to the small size of lots, accessory residential uses in the VILLAGE CENTRE area should be limited to home occupation uses.

#### Subdivision Policies

- 4.1.8 Land in the VILLAGE CENTRE area shall only be subdivided in accordance with the standards of the Responsible Authorities except that the minimum parcel size shall not be less than:
- (a) 1 hectare where there is no approved community water supply.
  - (b) 930 m<sup>2</sup> or larger where there is an approved community water system but no approved community sewer system.
- 4.1.9 Notwithstanding 4.1.8 above, subject to the approval of the Responsible Authorities, land in the VILLAGE CENTRE area may be rezoned to allow for single family residential subdivision into parcels of 669 m<sup>2</sup>; where
- (a) there is an approved community water system;
  - (b) a study is prepared by a qualified professional engineer certifying that the parcels are suitable to sustain long term on-site residential sewage disposal without resulting in groundwater degradation; and
  - (c) a detailed development plan is submitted which identifies proposed land uses, maximum building sizes, proposed building sites and areas reserved for long term on-site sewage disposal and legal arrangements are established restricting uses in accordance with the Plan.
- 4.1.10 Consolidation of small lots, which individually are unsuitable for development, clustering and innovative site planning will be encouraged and supported by the Board where it reduces the overall density of land use development.

## 4.2 HIGHWAY COMMERCIAL

### Description

The major purpose of the HIGHWAY COMMERCIAL designation is to accommodate local and highway commercial uses in Dogwood Valley. The present commercial uses primarily serves highway traffic, although potential uses could include small neighbourhood commercial services. The HIGHWAY COMMERCIAL designation is intended to concentrate commercial activities within one central location with safe highway access. The uses permitted are primarily those allowed within highway commercial zones, although other specific uses are also permitted.

The boundaries of the HIGHWAY COMMERCIAL area are based upon existing businesses and potential uses on adjacent properties, where lots are relatively large and access to the highway is centralized.

The concern for adequate long-term sewage disposal and water supply is also reflected in the HIGHWAY COMMERCIAL area designation.

It is the Regional Board's policy that:

### General Policies

- 4.2.1 The HIGHWAY COMMERCIAL area is established to accommodate highway-oriented and local commercial services with centralized highway areas, on-site sewage disposal and future community water supply.
- 4.2.2 Due to the extensive site coverage, particularly parking areas, associated with highway commercial uses, development proposals in the HIGHWAY COMMERCIAL area shall provide adequate on-site sewage disposal and waste water management, as required by the Responsible Authorities.

### Designation Policies

- 4.2.3 The Plan designates as HIGHWAY COMMERCIAL, the area of existing commercial services in Dogwood Valley, as shown on Schedule B of the Plan.
- 4.2.4 New HIGHWAY COMMERCIAL areas may be designated in the Plan area only where they are contiguous with the existing HIGHWAY COMMERCIAL area.
- 4.2.5 The HIGHWAY COMMERCIAL area may be extended to cover adjacent lands only where it is demonstrated that such extension:
  - (a) has appropriate site conditions to provide for proposed uses and their services;
  - (b) has safe and adequate access, as approved by the Ministry of Transportation and Highways; and
  - (c) will not unduly disturb nearby residential uses.

### Use Policies

- 4.2.6 The HIGHWAY COMMERCIAL area may be used only for highway commercial, single family residential, accessory residential, park and park reserve and public and semi-public use.
- 4.2.7 Different minimum site areas will be established for many of the uses permitted in the HIGHWAY COMMERCIAL area to reflect the need to limit the density of development to the site servicing capacity.

Subdivision Policies

- 4.2.8 Land in HIGHWAY COMMERCIAL areas shall only be subdivided in accordance with the standards of the Responsible Authorities except that the minimum parcel size shall not be less than:
- (a) 1 ha where there is no approved community water supply; and
  - (b) 0.4 ha where there is an approved community water supply.



## 4.3 RURAL

### Description

The major purpose of the RURAL designation is to provide for low density residential, recreational and natural resource land uses, compatible with the rural character of the designated areas in Yale, Dogwood Valley and Emory Creek.

For the most part, the boundaries of the RURAL area primarily include areas which have reasonable access, with few developable land constraints, natural hazard concerns and environmental sensitivities. The areas designated RURAL are located in Yale on the bench lands above and adjacent to the highway and in Dogwood Valley and Emory Creek on the flat lands between the mountain slopes on the west and the Fraser River on the east. The RURAL AREA boundary generally follows property lines except where site specific geotechnical studies are available to better specify the limits of developable land.

The RURAL area also includes some lands which could be subject to natural hazards. Development of such lands is controlled through the Geological Hazard Development Permit Area (Schedule E) and the Fraser River Flood and Erosion Hazard Area (Schedule D). The Plan specifically requires that all new subdivided parcels include approved building sites outside of the Fraser River Flood and Erosion Hazard Area, as well as the standard floodproofing and setback requirements described in Section 7.1 of the Plan.

Subdivision policies are designed to ensure the safe, long-term use of land, the efficient delivery of public services and the protection of a rural lifestyle. The policy emphasis in RURAL areas is to plan for small acreage parcels ranging from 2 ha to 0.2 ha, depending upon provision of services and physical context.

The Plan recognizes the potential for future small rural subdivision on the bench lands and terraces common to the Fraser River area. The developable land is constrained by steep mountain slopes and the Fraser River and, therefore, there is little capability for extensive subdivision, or community water or sewer services. Yet the developable land is often free of natural hazard concerns and is appropriate for higher rural densities with on-site services, without leading to large areas of unserved settlement. These relatively small pockets of developable land may be subdivided at a country residential density without water or sewer services, subject to certain conditions and only where the land forms ensure that the total area of subdivision is not extensive.

It is the Regional Board's policy that:

### General Policies

- 4.3.1 RURAL areas are established to provide for a variety of rural residential lifestyles and to maintain a low density rural character with appropriate on-site services.
- 4.3.2 The development of approved community water systems will be encouraged and supported by the Regional Board.

### Designation Policies

- 4.3.3 The Plan designates as RURAL areas of existing rural residential development and lands in relatively large parcels, which have reasonable access and which have safe building sites without geological or flood hazard potential, as shown on Schedule B of the Plan.
- 4.3.4 RURAL areas may be extended or created where additional lands are identified which meet the designation policy criteria above.

#### Use Policies

- 4.3.5 RURAL areas may be used only for rural residential, associated rural residential, associated country residential, campground, low density commercial recreation, agriculture, resource extraction, park and park reserve, public and semi-public uses, and intensive agriculture where the land is included within the Provincial Agricultural Land Reserve pursuant to Provincial statutes.
- 4.3.6 Low Density Recreation uses in RURAL areas will only be permitted on parcels greater than 2 ha.

#### Subdivision Policies

- 4.3.7 All new parcels created by subdivision in the RURAL areas must each have an approvable building site outside of the Fraser River Flood and Erosion Hazard Area shown on Schedule D of the Plan.
- 4.3.8 Land in RURAL areas shall only be subdivided in accordance with the standards of the Responsible Authorities, except that the minimum parcel size shall be as follows:
- (a) 2 ha where there is no approved community water system or approved community sewer system; and
  - (b) 0.2 ha where there is an approved community water system but no approved community sewer system.
- 4.3.9 Notwithstanding 4.3.8 (a) above, land in RURAL areas may be rezoned to allow for subdivision, subject to the approval of the Responsible Authorities, into parcels of not less than 0.8 ha where all of the following conditions apply to the lands in the general vicinity of the proposed subdivision:
- (a) The area is considered by the Board not to have potential to support future community sewer or water supply systems due to physical limitations on the area and density of development and the distance from existing community sewer or water supply systems;
  - (b) The area has the capability for safe, long-term, on-site sewage disposal and water supply as shown in a study by a qualified, professional engineer;
  - (c) the area can be served by adequate and safe road access appropriate to the potential for development; and

(d) the area has contiguous developable land not exceeding 10 ha.

4.3.10 Notwithstanding 4.3.8 and 4.3.9 above, where a bare land strata plan pursuant to the Condominium Act is approved by the Responsible Authorities the minimum parcel size for strata lots shall not be less than 0.1 ha provided that the gross density of the subdivision does not exceed 2.5 lots per ha and the subdivision is served by an approved community water system.

Not For Legal Purposes

#### 4.4 LIMITED USE

##### Description

The major purpose of the LIMITED USE designation is to minimize the amount of development in remote areas and areas with geological or flooding hazard, environmental sensitivity or difficult access. The LIMITED USE policies provide for rural residential and certain outdoor recreation uses on selected sites appropriate for such uses, where conflict with natural hazards and environmental sensitivities is minimized.

The boundaries of the LIMITED USE area are based upon topography, natural hazards, environmental features and geographic location.

LIMITED USE AREAS are inappropriate for intensive developments. However, they may be suitable for outdoor recreation uses and certain kinds of low density resource extraction use. Nevertheless, the general policy is to prevent major, isolated developments, or development in hazardous or environmentally sensitive areas.

It is the Regional Board's policy that:

##### General Policies

- 4.4.1 LIMITED USE areas are established to minimize development in remote, inaccessible, hazardous or environmentally sensitive areas and to maintain the rural land use character with a low density of development on suitable development sites.
- 4.4.2 Development shall be controlled and uses may be restricted in areas of natural hazard potential and environmental sensitivity.

##### Designation Policies

4.4.3 The Plan designates as LIMITED USE:

- areas of known geological hazard potential;
- areas of known flooding and erosion hazard;
- areas of environmental sensitivity;
- areas with difficult site features for development;
- areas isolated from community services and development;
- areas having poor road access;
- areas suited, because of their location and physical characteristics, for low density use, particularly outdoor recreation use, as shown on Schedule B of the Plan.

4.4.4 LIMITED USE areas may be extended or created when additional areas are identified with the above characteristics. LIMITED USE areas may also be reduced and redesignated if future studies show that an area can safely accommodate a broader range of uses without environmental damage, unacceptable public risk or excessive public expenditure on access or other public works.

##### Use Policies

- 4.4.5 LIMITED USE areas may be used only for rural residential, associated country residential, associated rural residential, campground, agriculture, intensive agriculture, resource & service industry, resource extraction, low density commercial recreation, outdoor recreation, park and park reserve and public and semi-public uses.

Subdivision Policies

- 4.4.6 Land in LIMITED USE areas shall only be subdivided in accordance with the standards of the Responsible Authorities, except that the minimum parcel size shall not be less than 8 ha.

## 4.5 PARK

### Description

The purpose of the PARK designation is to protect and provide for the public use of lands and waters suitable for outdoor recreation and environmental or heritage conservation. This designation includes lands along the waterfront of Yale and Dogwood Valley and Emory Creek Provincial Park. The major focus of the Plan is to protect and improve public access to the Fraser River.

The PARK areas involve Crown lands where site features or existing recreational use warrant designation for park purposes. Policies related to community parks in small lot subdivisions are presented within Section 8 of the Plan.

It is the Regional Board's policy that:

### General Policies

- 4.5.1 Areas of Crown land with significant recreation or conservation potential should be reserved for future park potential.
- 4.5.2 The acquisition and maintenance of park land and recreational access to the Fraser River will be encouraged and supported by the Regional Board.

### Designation Policies

- 4.5.3 The designated PARK areas include Emory Creek Provincial Park, Yale waterfront park reserve, lands between the CPR tracks and the Fraser River east of the Yale Indian Reserve and an area of Crown land covering mid Stulkawhits Creek, as shown on Schedule B of the Plan.
- 4.5.4 New PARK areas may be created through Plan amendment where public lands are suited to future park use.

### Use Policies

- 4.5.5 PARK areas may be used for recreation, conservation, park and park reserve and public and semi public uses.
- 4.5.6 Land uses which could have an adverse effect on conservation or development in PARK areas will not be permitted, although temporary uses may be permitted where impacts are minimal.

### Subdivision Policies

- 4.5.7 Land in PARK areas shall only be subdivided under circumstances where subdivision is required in the interests of responsible park management.

## 5. DEVELOPMENT SERVICES

Future development within the Plan area must be based upon a recognition of the financial ability of the community to support water, sewage disposal, fire protection, street lighting and other services. The policies of the Plan endeavour to provide for an appropriate level of services which minimizes costs for local property owners.

## 5.1 Sewage Disposal

A major policy objective of the Plan is to avoid the need to construct community sewage treatment and collection facilities. The small lots in Yale leave little room for installation of sewage disposal systems, particularly where a reserve field area is needed for long-term sewage disposal. More than one lot may be required in some cases to support long term sewage disposal. The narrow lots and substandard water systems in Dogwood Valley also pose problems for the location of disposal fields.

The Plan policies are oriented to protecting adequate sewage disposal area for new development and to mitigate untreated effluent resulting from the failure of existing disposal systems.

It is the Regional Board's policy that:

- 5.1.1 Development proposals should be designed to accommodate permitted uses and densities on the basis of on-site sewage disposal for the long term. Land use in residential zones shall comply with maximum site coverage standards described in policy 4.1.3.
- 5.1.2 The use of dry wells and other alternate systems shall only be used where conventional systems are not feasible.
- 5.1.3 The construction of community sewage treatment plants will be encouraged within Yale village centre area if the density of proposed development exceeds the capacity of the area to accommodate new development with on-site sewage disposal.

The Regional District will assist in establishing specified areas to facilitate the financing and construction of such facilities, where requested by petition or referendum.

- 5.1.4 Consultation and co-ordination will be encouraged amongst property owners, the Ministry of Environment Lands and Parks and the Fraser Valley Health Region in the site design of major sewage disposal systems.

## 5.2 Water Systems

The future need for development of community water systems is especially apparent in Dogwood Valley where the configuration of lots has created difficulties for the adequate separation of tile fields and wells. Increased development density within any part of the Plan will require adequate community water supply to all new lots. As opportunities arise, the Board will encourage, assist and in some cases require, development of community water systems.

It is the Regional Board's policy that:

- 5.2.1 The Board will actively encourage and assist the development of adequate community water systems and full connection to such systems within the specified areas. The Board may also construct community water systems where approved by local petition or referendum.
- 5.2.2 Where the Regional District owns and operates a community water system, development cost charges will be imposed on new subdivisions, if water service to the proposed subdivision requires capital expenditures by the Regional District to upgrade the existing system.

### 5.3 Fire Protection

The following policies are intended to support the efforts of the volunteer fire department and to improve fire protection in association with increases in land use density. It is the Regional Board's policy that:

- 5.3.1 The Regional Board will encourage and assist in the maintenance of the volunteer fire department.
- 5.3.2 In order to ensure adequate fire protection, and where it is necessary in order to avoid excessive public expenditure on reservoir storage capacity, new large buildings other than single family residential dwellings may be required to install approved sprinkler systems in accordance with applicable bylaws and legislation.
- 5.3.3 New water storage tanks should be installed in the Dogwood Valley area as the density of residential subdivision increases.
- 5.3.4 Forest Fire protection service agreements will be established and maintained with the Ministry of Forests, and where agreed, with Indian Bands. Developed, tax exempt properties will be encouraged to enter into agreement with the Regional Board for fire protection service.
- 5.3.5 Future development of a frontage road in the vicinity of the firehall at Emory Creek should not impose upon the volunteer fire department, the financial costs of moving storage tanks or buildings for the purposes of road construction.

### 5.4 Solid Waste Management

On February 1, 1992, the Regional District entered into a contract with the District of Hope to provide for regular solid waste collection and disposal services for the Plan area. Under terms of the contract, a contractor collects municipal solid waste, including recyclable from residential properties on a weekly basis and from commercial properties at times specified by the property-owners. If curbside collection is not feasible mini depots may be available for municipal and recyclable waste. Waste is disposed of at the Hope Landfill Site located south of the Plan area and recyclable are processed on the contractor's property in the District of Hope.

In accordance with the requirements of the Waste Management Act of 1989 and the 1992 amendments to include demolition, land clearing and construction waste, the Fraser Valley Regional District prepared a region-wide Regional Solid Waste Management Plan which received approval from the Ministry of Environment, Lands and Parks in December 1996. The



Plan addresses the Province's goal of a 50% reduction in solid waste requiring disposal by the year 2000.

Under the implementation strategies of the Plan, it is the Regional Board's policy that:

- 5.4.1 Wastes will be reduced and reused to the greatest extent possible.
- 5.4.2 Existing recycling and composting programs will be enhanced.
- 5.4.3 Developing a Plan which is environmentally sound, technically and economically feasible, and socially acceptable.
- 5.4.4 Consulting the public on any proposed facilities, or the upgrading of existing facilities, in a manner acceptable to MELP.
- 5.4.5 Improving public awareness of solid waste issues and programs through education.
- 5.4.6 Minimizing undesirable waste handling and disposal methods, including littering and illegal dumping.
- 5.4.7 Providing reasonable access to recycling, composting and disposal facilities to all residents and businesses within the FVRD, which allows waste diversion to the maximum extent possible.
- 5.4.8 Eliminating the open burning of municipal solid waste (including DLC waste), where appropriate.
- 5.4.9 Wastes will be directed to longer capacity landfills as existing landfills close.

## 6. ROADS AND TRANSPORTATION

### 6.1 Road Network and Parking

The road network in the Plan area is dominated by the Trans Canada Highway. A major focus of the Plan is to improve the safety of access on and off the highway, and to provide a local road network which can be expanded for future development.

The Regional Board recognizes that the Ministry of Transportation and Highways is the road authority for the Plan area and that any access, alterations, construction or improvements must be approved by them.

The Road Plan presented on Schedule C establishes the objectives for future development and improvement of roads. Two classes of roads exist in the Plan area: Controlled Access Highway and Local Road.

**CONTROLLED ACCESS HIGHWAY:** A highway designated, pursuant to the Highway Act, as a "controlled access highway" for through traffic. No new direct accesses to such highways are permitted where there exists, or can be created, alternative means of access.

LOCAL ROAD: A street primarily designed for, and providing land access with, little or no provision for through traffic. Direct access is allowed to all abutting properties.

It is the Regional Board's policy that:

#### Access

- 6.1.1 The Regional District will support property owners in acquiring legal access to their properties, where it does not presently exist and will assist in resolving road and right-of-way issues in the Plan area.
- 6.1.2 Each new parcel of land shall have frontage on a public road, and the Regional Board will not support applications for subdivision or major developments which propose road access via easements or forest roads.
- 6.1.3 The construction or expansion of large commercial or residential developments, mobile home parks, campgrounds or holiday parks should provide two legal accesses, subject to the standards and approval of the Ministry of Transportation and Highways.
- 6.1.4 Public access to the Fraser River at the north end of Yurkin Road should continue to be protected.
- 6.1.5 Where there is gazetted road rights-of-way in excess of existing or future requirements, the Board will support the acquisition of surplus road rights-of-way by adjacent property owners, upon application to the Ministry of Transportation and Highways by the property owner and where the amount of surplus rights-of-way warrants such disposal.

#### Improvements

- 6.1.6 The Regional Board recognizes the Ministry of Highways' long-term future plans to widen the Trans Canada Highway to four lanes through Yale; however, it is not anticipated that any such plans would be initiated during the life span of this plan. Before construction of the highway, the following matters should receive attention:
  - (a) provision of adequate parking facilities to support existing businesses;
  - (b) provision of adequate speed control techniques and designs to provide traffic safety for residents and visitors.
- 6.1.7 The Board will encourage and support implementation of any highway safety and beautification improvement projects.
- 6.1.8 The Board will encourage and support shoulder widening and other improvements to the intersections of Highway 1 and Emory Creek Road, Yurkin Road and B.C. Nickel Mine Road.
- 6.1.9 The Board will encourage and support the control of pedestrian traffic in the vicinity of Emory Creek Bridge.

- 6.1.10 Future subdivision or development requiring rezoning near the Trans Canada Highway in the Dogwood Valley - Emory Creek area will require dedication of public road rights-of-way, in accordance with Ministry of Transportation and Highways policy, where it will facilitate the long-term construction of a frontage road system connecting Dogwood Valley Road and Emory Creek Road, and Mountain View Road and Yurkin Road.

### Parking

- 6.1.12 A designated parking area should be provided for residents of South Yale. No further sale of Crown land should take place until appropriate parking arrangements are completed.
- 6.1.14 The Regional Board will encourage the development of improved access and parking on site at the Yale Pioneer Cemetery.

### 6.2 Railway Crossings and Operations

Unlike so many other communities along the Fraser River corridor, the community of Yale was established before the coming of the Canadian Pacific Railway. Historically, the railway itself became a traditional part of Yale. However, the growth of the railway has had a significant detrimental effect on many aspects of development in the Plan area. The operation of the railway and the growth in the number of daily trains creates traffic safety hazards. It is therefore important that the two existing railway crossings at Yale and Dogwood Valley, which both include traffic control lights, be maintained. The increased rail traffic has also resulted in an increase in the dust and noise pollution above those acceptable to the community. The proximity of the railway to residential areas requires special care to maintain good relations between the community and railway operations. The following policies provide a basis for addressing local concerns and avoiding land use and safety conflicts.

It is the Regional Board's policy that:

- 6.2.1 The Board will assist in community consultation with Canadian Pacific Railways in an effort to control coal dust from rail cars, limit the speed of trains through the community and avoid excessive horn signals at night in the Yale and Dogwood Valley areas. The need for additional wetting of rail cars and other measures should be considered to control dust.
- 6.2.2 Vegetation and debris along the railway should be controlled to enhance the attractiveness of the residential environment. Methods of control should not include spraying of chemicals which may be harmful to residents and the physical environment.
- 6.2.3 New residential subdivisions in the Plan area should provide adequate safety setbacks, berms, landscaping and other noise mitigation measures and should take into account the Federal Canada Mortgage and Housing Corporation's guidelines, "Road and Rail Noise: Effects on Housing."

## 7. ENVIRONMENTAL PROTECTION

### 7.1 Flood and Erosion Hazards

The major flood and erosion hazards in the Plan area are associated with the Fraser River, Yale Creek, Emory Creek and Stulkawhits Creek. The floodproofing and setback standards in the Plan were developed in conjunction with the B.C. Ministry of Environment and Parks.

It is the Regional Board's policy that:

- 7.1.1 Lands which are susceptible to flooding, inundation or erosion should, wherever possible, be used for agricultural, park, recreational and other unintensified land uses.
- 7.1.2 The Plan may be amended to reflect new information regarding flood and erosion hazards.
- 7.1.3 Notwithstanding the flood proofing and setback standards in this Plan, a site specific geotechnical study, pursuant to Section 699 of the Municipal Act, may be required by the Building Inspector prior to building permit approval, particularly in alluvial fan areas.
- 7.1.4 The Board will encourage and facilitate coordination between property owners and government agencies in flood and erosion protection schemes to ensure an effective response to hazards and protection of stream habitat.
- 7.1.5 Buildings used for habitation, business, or the storage of goods damageable by floodwaters should have a building elevation such that the underside of the floor system is not less than 6 m above the natural boundary of the Fraser River, 3 m above the natural boundary of Yale Creek, Emory Creek and Stulkawhits Creek, and 1.5 m above the natural boundary of any other watercourse, except as otherwise approved by Development Variance Permit, and recommended by the Ministry of Environment and Parks.
- 7.1.6 In alluvial fan areas, buildings used for habitation, business or the storage of goods damageable by floodwaters should have a building elevation such that the underside of the floor system is not less than 0.6 m above the natural ground measured at the perimeter of the building, and additional protective requirements that may be deemed necessary.
- 7.1.7 To protect against Fraser River erosion and floodway hazards, buildings used for habitation, business or the storage of goods damageable by floodwaters should not be located within the Flood and Erosion Hazard Area identified in Schedule D, which includes a 60 m setback from the natural boundary of the Fraser River in the Dogwood Valley area, except as otherwise approved by Development Variance Permit, and recommended by the Ministry of Environment and Parks.
- 7.1.8 To protect against erosion and floodway hazards, buildings used for habitation, business or the storage of goods damageable by floodwaters should be setback 30 m from the natural boundary of Yale Creek, Emory Creek and Stulkawhits Creek, and 15 m from the natural boundary of any other watercourse, except as otherwise approved

by Development Variance Permit, and recommended by the Ministry of Environment and Parks.

## 7.2 Geological Hazards

The Plan policies seek to direct development away from lands with geological and related debris flow hazards. These hazards were identified in a generalized survey of geological conditions, the results of which are mapped in Schedule 1 of the Background Report to the Plan. The preliminary safeline identified on these maps was used to establish the boundary of Development Permit Area 1-B, within which a site specific geotechnical study will be required prior to development.

It is the Regional Board's policy that:

- 7.2.1 Development shall be directed away from lands susceptible to slope instability, erosion, rockfall and other forms of geological and snow avalanche hazard and from lands with severe building or road foundation limitations.
- 7.2.2 On lands within Development Permit Area 1-B and all other lands which may be considered to be subject to geological hazards, geotechnical studies will normally be required as part of building permit applications pursuant to Section 699 of the Municipal Act.
- 7.2.3 Areas of private land that are considered to be subject to flooding, erosion, land slip or avalanche, may be designated to regulate or prohibit the cutting down of trees. An applicant for a tree cutting permit within the designated area may be required pursuant to Section 923 of the Municipal Act to provide a report by a qualified person which certifies that the proposed tree cutting will not create a danger of flooding or erosion.

## 7.3 Aggregate Site Management

There is substantial sand and gravel potential in the Plan areas, as shown on Figure 4 of the Background Report. The use and abandonment of gravel pits can pose a safety and environmental concern to communities. The following policies endeavour to promote proper aggregate site management.

It is the Regional Board's policy that:

- 7.3.1 All sand, gravel and other sites used for commercial or industrial extraction of aggregate materials should have a plan, approved by the Chief Inspector of Mines for the safe operation, abandonment, recontouring and reclamation of such sites. Where

necessary, there should be consultation between the Ministry of Employment and Investment, Mines Branch and the Regional District to ensure that there is no conflict between bylaws relating to end land use and the approved reclamation program.

- 7.3.2 All sand, gravel and other sites used for the commercial or industrial extraction of aggregate materials should be operated in accordance with practices which comply with the Mines Act and Mines Regulations.
- 7.3.3 All commercial or industrial extraction of aggregate materials within the Official Community Plan boundary shall require a permit pursuant to Fraser Valley Regional District Electoral Area Soil Removal and Deposit Bylaw No. 0023, 1996.
- 7.3.4 Any gravel extraction use within the normal high water wetted perimeter of a watercourse is required to obtain a permit pursuant to the British Columbia Gravel Removal Order of the Federal Fisheries Act prior to obtaining any necessary approvals from the Regional District.

#### 7.4 Community Water Supply Protection

Yale Creek watershed has become less sensitive to the adverse effects of development with the addition of a community water system well and reservoir. Nevertheless, there is a need to continue to protect the watershed for reasons of emergency water use and for geological stability.

- 7.4.1 No new uses within Yale Creek watershed will be approved by the Regional Board on Crown Lands where there is potential for negative downstream environmental and/or hazard impacts.
- 7.4.2 Present users of surface water for domestic purposes will be encouraged to convert to private wells or community water supply systems.
- 7.4.3. All applications which are referred to the Regional District to alter watercourses, to withdraw water, or to discharge wastes into watercourses will be reviewed to ensure that they do not adversely affect the potable water supply available to existing water users.

#### 7.5 Fish and Wildlife Protection

The use of the access to lands which provide significant fish and wildlife habitat will be controlled in cooperation with the B.C. Ministry of Environment and Parks and the Department of Fisheries and Oceans through Regional District development approval processes.

It is the Regional Board's policy that:

- 7.5.1 Watercourses which support fish populations should be preserved and protected in as natural a condition as possible, except where they may be improved under the direction of the Responsible Authorities. Development proposals will be referred to the Ministry of Environment and Parks or Department of Fisheries and Oceans where they may affect fish habitat.

- 7.5.2 Where new development is proposed on parcels of land adjacent to the Environmentally Sensitive Areas identified on Schedule D, a stable, protective leavestrip of natural vegetation should be provided, the width of which should be determined on a site specific basis in consultation with Ministry of Environment or Department of Fisheries and Oceans. Requirements for specific fish protection measures may be established through provisions of the Fisheries Act.
- 7.5.3 The use and management of Yale Creek watershed should provide for the protection and recreational use of fish and wildlife resources.
- 7.5.4 Developers will be encouraged to design proposals in accordance with the “Guidelines for Land Development and Protection of the Aquatic Environment”, the “Culvert Guidelines: Recommendations for the Design and Installation of Culverts in British Columbia to Avoid conflict with Anadronous Fish” and “Planning Work Near the Water”, all of which are published by Department of Fisheries and Oceans.
- 7.5.5 In the review of forest management plans and forest access roads on Crown Lands, the Regional District will require that forest development adhere to the provisions of the Forest Practices Code of British Columbia Act and other guiding legislation to encourage mitigative actions to protect residential developments, to conserve fish and wildlife resources and to provide for recreational opportunities, where appropriate. The requirement for protection of these resources includes levels of protection for individual or domestic water sources.

## 7.6 Heritage Sites Protection

The Yale, Emory Creek, Dogwood Valley and Choate Plan area has a significant number of historic and archaeological sites. Heritage conservation and interpretation is particularly important for community and tourism development in Yale. The Plan policies therefore ensure consultation with the Heritage Conservation Branch in the management of heritage sites.

It is the Regional Board’s policy that:

- 7.6.1 The Regional Board recognizes the Provincial heritage significance of the heritage precinct in Yale and will assist in regulating adjacent land uses to protect heritage and aesthetic values associated with the site.
- 7.6.2 Applications for building permits involving excavation within the Heritage Sites Referral Areas on Schedule D of the Plan will be forwarded to the Heritage Conservation Branch for comment.
- 7.6.3 The Regional Board supports and encourages the conservation and development of Yale Waterfront Park and the establishment of Lady Franklin Rock Heritage Park.

## 7.7 Agriculture

The Plan area has low capability for agriculture and considerable exclusion from and approval of non-farm use on the Agricultural Land Reserve has occurred. Review of the Agricultural Land Reserve boundaries is therefore appropriate, with a view to excluding all lands from the Reserve. Present agriculture is small and hobby-farm oriented. Such agricultural uses are

provided for on large parcels in the Choate and Dogwood Valley areas. Adequate buffer areas, however, may be necessary to avoid future conflict with residential uses.

It is the Regional Board's policy that:

- 7.7.1 The Regional Board will support applications for exclusion of lands from the Agricultural Land Reserve. The Board will also consider submitting to the Agricultural Land Commission, a block application for exclusion of all lands within the Plan area.
- 7.7.2 Agricultural uses will be permitted in RURAL and LIMITED USE AREAS on parcels of adequate size, with appropriate buffer areas to avoid conflict with existing or potential residential land use.

## 8. COMMUNITY PARKS AND SOCIAL SERVICES

### 8.1 Community Parks

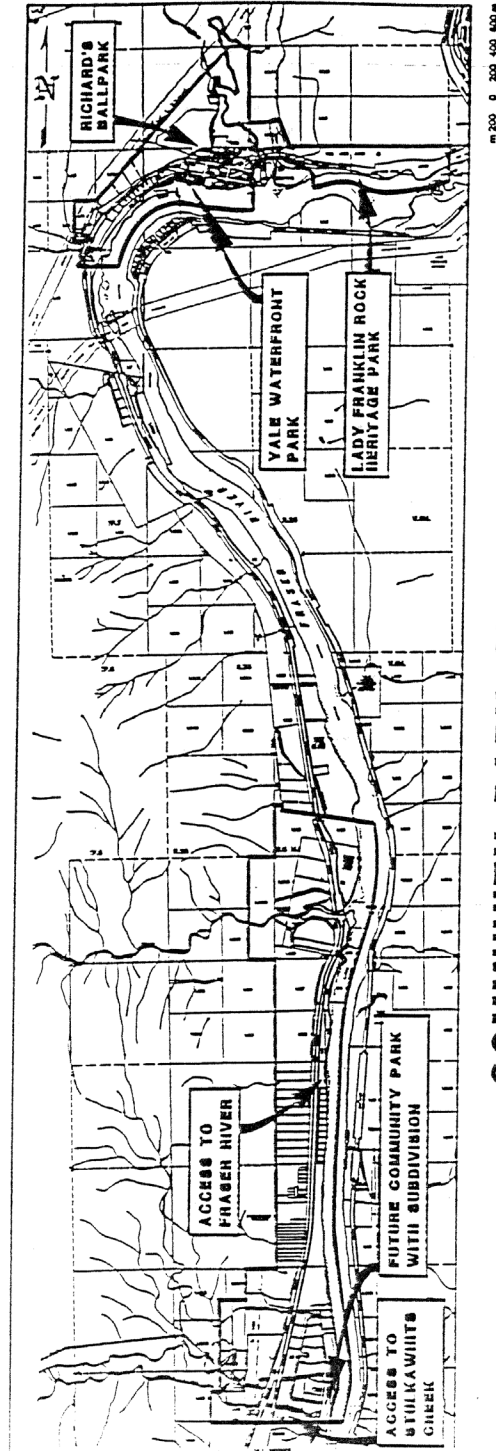
Community parks in the Plan area serve the needs of both local residents and visitors. The major park policy issue is to protect and develop recreational access to streams and rivers. Parkland acquisition may occur through subdivision dedication, donations or bequeaths, through Crown land recreation reserves or through purchases.

Figure 2 summarizes the major community park objectives. The specific location and design of community parks will depend upon the opportunities associated with individual park proposals.

It is the Regional Board's policy that:

- 8.1.1 All new subdivisions involving three or more lots, where the smallest lot is less than 2 ha, shall be required to provide parkland equivalent to 5 percent of the land being subdivided, and in a location which facilitate the community parks objectives described below.





**COMMUNITY PARK OBJECTIVES  
FOR PORTIONS OF ELECTORAL AREA "B"  
YALE, EMORY CREEK, DOGWOOD VALLEY, CHOATE**

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Figure 2 - Part II

8.1.2 Where subdivision occurs in a location which accords with the major community parks objectives on Figure 2, the Regional Board may request cash in lieu of land for subdivision park dedication, subject to acquisition of letters patent for the community parks function.

8.1.3 In the Yale area, the major park objectives are:

- (a) to develop the Yale Waterfront Park in a manner which protects and preserves the natural environment and depicts the history of early Yale;
- (b) to establish and develop the proposed Lady Franklin Rock Heritage Park in a manner which protects the natural environment and cultural resources and presents the cultural history of the lower Fraser Canyon;
- (c) acquire trail access to, and along natural watercourses where possible.

8.1.4 In the Emory Creek/Dogwood Valley/Choate area, the major park objectives are:

- (a) to reserve recreational access to and along Emory Creek, Stulkawhite Creek and the Fraser River;
- (b) to establish a community park in Dogwood Valley in conjunction with future subdivision.

## 8.2 Schools and School Bus Services

Local school services are important to maintaining and attracting population, with which to support a viable community. This includes adequate school bus services for residents outside of Yale.

It is the Regional Board's policy that:

- 8.2.1 Yale elementary school should be maintained to serve both educational and community needs, despite temporary periods of under-enrollment.
- 8.2.2 The Board will encourage and facilitate road improvements to improve the safety of school bus services near the Trans Canada Highway, including adequate pull-outs and development of a frontage road network.

## 8.3 Cemeteries

There is one historic public cemetery and numerous private cemeteries in the Plan area. The historic Pioneer Cemetery at the west entrance to Yale has reached capacity and no recent internments have taken place. There are difficulties in maintaining the site, which depends upon volunteer labour.

It is the Regional Board's policy that:

- 8.3.1 The historic Pioneer Cemetery in Yale should be managed as a Provincial historic site. It is expected that upkeep and care of the cemetery will be undertaken by the community.
- 8.3.2 Where requested by local petition or referendum from the community, the Regional District will assist in locating a specific area for the operation of a new cemetery.

## 9. DEVELOPMENT PERMIT AND HERITAGE CONSERVATION AREAS

Development permit areas may be designated for protection of the natural environment, protection of development from hazardous conditions, protection of heritage sites, revitalization of commercial areas and the planning of commercial, industrial and multi-family residential development. A community plan may also designate an area as a heritage conservation area. Within the Plan area, two areas are designated as development permit areas: the areas beyond the geological safeline identified on Schedule 1 of the Background Report, and all parcels within the area of the Official Community Plan for the purposes of Riparian Areas Regulation. One area is designated as a heritage conservation area: the Yale heritage precinct conservation area. [Byl # 1260, 2014]

The following area is hereby designated as development permit area:

### 9.1 Geological Hazard Development Permit Area

The Geological Hazard Development Permit Area, known as Development Permit Area No. 1-B, is designated pursuant to Section 879(1) (b) of the Municipal Act.

#### Category of Designation

"Protection of development from hazardous conditions". [879 (1) (b) ].

#### Area of Application

Development Permit Area 1-B encompasses the lands identified on Schedule E of Bylaw No. 0150.

#### Justification

An overview study of geological conditions in the Plan area identified the potential landslide, rockfall, debris flow and related geological hazards. The study results are summarized in the report: "Overview of Geological Hazards in the Yale Dogwood Valley Areas", Thurber Consultants Ltd., July, 1987.

The study delineated an area within which a geotechnical study should be required of an owner pursuant to Section 699 of the Municipal Act prior to the issuance of a building permit. The boundary of these areas, described as the "preliminary safeline" was established using "conservative judgmental considerations of perceived slope stability, proximity to steep upland slopes, scattered field observations, geological and geotechnical reasoning and a study of maps

and aerial photos”. Site specific geotechnical studies may identify safe building sites within the Development Permit Area.

Conditions:

- (a) potential for landslip and erosion;
- (b) potential for rockslide and rockfall;
- (c) potential for debris flows and slides.

Objectives:

- (a) to direct development away from geological hazards;
- (b) to ensure adequate professional evaluation of geological hazards and mitigation opportunities;
- (c) to allow for land use which accords with the results of geotechnical studies.

Guidelines

Development permits shall accord the following guidelines:

- 9.1.1 Conditions or restrictions may be imposed respecting the uses and densities permitted in the zoning bylaw, the sequence and timing of construction, areas to remain free of development, vegetation or trees to be planted or retained, natural drainage to be maintained or enhanced or other matters as specified in Sections 920(7) (a), (b), (c), (d) and (e) of the Municipal Act.
- 9.1.2 Notwithstanding the uses permitted in the zoning bylaw, where a geotechnical study identifies a hazard which may be a threat to life, no uses should be permitted which involve overnight accommodation or the assembly of people on, or the attraction of people to, the site.
- 9.1.3 Land uses may be restricted in areas of geological hazard and landowners may be required to ensure that the land can be safely used for the use intended and that appropriate mitigative and protective conditions will be implemented.
- 9.1.4 No alterations to the natural drainage, no construction or excavation should be permitted which might cause or contribute to hazardous conditions on the site or on adjacent lands.
- 9.1.5 Where the zoning bylaw permits single-family residential use and where the geotechnical study identifies safe building sites, all new lots created should include suitable building sites in areas not subject to hazard. Clustering of lots away from the hazard area would be advisable and the regulations respecting the minimum size of parcels of land that may be created by subdivision may be varied to facilitate the optimum uses of the land.
- 9.1.6 A development permit shall not be required for construction of, addition to, or alteration of a building or structure where (a) a site specific geotechnical report determines that the site may be used safely for the use intended, or (b) the type of construction, addition, or

alteration does not affect or relate to matters of health, safety or the protection of property from damages.

## 9.2 Yale Heritage Precinct Conservation Area

The Yale Heritage Precinct Conservation Area, is designated pursuant to Section 880 of the Municipal Act.

### Area of Application

The Yale Heritage Precinct Conservation Area encompasses the lands identified on Schedule E of Bylaw No. 0150.

### Justification

The Yale Village Center area contains a number of structures of special historic merit which reflect Yale's historic past and which are worthy of conservation and enhancement. The Yale and District Historical Society and the Heritage Conservation Branch are attempting to protect and improve the heritage precinct. A site development plan is being implemented which will include construction of washrooms, a parking area, interpretive facilities, landscaping and other improvements in the heritage precinct.

The Yale Heritage Precinct Conservation Area serves to co-ordinate proposed improvements in road edging, turning lanes, parking, traffic control, landscaping, sidewalks, signage and heritage conservation of Provincial heritage sites.

### Objectives:

- (a) to improve vehicles and pedestrian safety and the attractiveness of the Trans Canada Highway in Yale;
- (b) to assist in revitalizing the village centre area as a basis for tourism and community development;
- (c) to protect the Church of St. John the Divine and the surrounding heritage precinct grounds as a designated Provincial heritage site; and
- (d) to ensure that development proposals provide for adequate on-site sewage disposal for the long term.

### Guidelines

The following guidelines are based, in part, on the Yale Development Project Design Plans prepared by the U.B.C. design team for the former Yale Enhancement Society, attached as Schedule 2 of the Background Report to the Plan. These plans propose the design concept of a small historic village adapted to the highway, railway and the Fraser River environment.

A Heritage Alteration Permit shall accord with the following guidelines:

- 9.2.1 The siting of buildings and the character of development should protect vistas of the heritage precinct, including the Church of St. John the Divine and the Yale Museum.
- 9.2.2 The character of development, including landscaping and the siting and form of buildings and structures should provide for an attractive, safe and distinct edge between the highway and the heritage precinct. The illustrations in the Yale Development Project Design Plans, Schedule 2 of the Background Report, may be used on an advisory and conceptual basis in review of new proposals.
- 9.2.3 Landscaping should be used to edge heritage areas and to provide visual continuity. The illustrations in the Yale Development Project Design Plans, Schedule 2 of the Background Report, may be used on an advisory and conceptual basis in review of new proposals. A landscaping plan will be required to be included in applications for a heritage alteration permit for new structures within the heritage precinct.
- 9.2.4 Free-standing commercial signs and other advertising structures within the heritage precinct which are not attached to buildings should only be erected within the locations of the proposed islands identified in the Yale Development Project Design Plans, Schedule 2 of the Background Report.
- 9.2.5 The use of land and density of land use within the heritage precinct may be restricted and areas of land may be specified to remain free of development for health and groundwater protection reasons.
- 9.2.6 A heritage alteration permit shall not be required where the proposed construction does not affect or relate to the Guidelines for The Yale Heritage Precinct Conservation Area.
- 9.3 Riparian Areas Development Permit Area No. 2-B [Byl # 1260, 2014]

#### Category of Designation

“Riparian Areas Development Permit Area 2-B” is designated pursuant to Section 919.1(1)(a) of the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity.

#### Area of Application

Development Permit Area 2-B consists of all those parcels of land:

- a. within the area of this Official Community Plan; and,
- b. entirely or partially within a Riparian Assessment Area, which is:
  - i. for a stream, the 30 metre strip on both sides of the stream, measured from the high water mark;
  - ii. for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and,
  - iii. for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

For convenience, mapped streams are generally shown on *Schedule E-2 – Riparian Areas Development Permit Area 2-B*. Note that Riparian Areas Development Permit Area 2-B includes the Riparian Assessment Areas associated with all streams within the Plan area, whether mapped or unmapped, including but not limited to the streams shown on *Schedule E-2 – Riparian Areas Development Permit Area 2-B*.

### Justification

Electoral Area B contains streams and riparian areas that directly or indirectly provide natural features, functions and conditions that support fish life processes. The Fish Protection Act and the Riparian Areas Regulation require local governments to protect these streams and riparian areas when exercising powers with respect to residential, commercial and industrial development. In the opinion of the Regional Board, this development permit area provides a level of protection that is comparable to the Fish Protection Act and the Riparian Areas Regulation.

### Objectives:

The objective of Development Permit Area 2-B is to protect the natural environment, its ecosystems and biological diversity. More specifically, this DPA will protect streams and riparian habitat primarily through the involvement of qualified environmental professionals and the identification of Streamside Protection and Enhancement Areas (SPEAs) that should remain free of development, including the disturbance of soils and vegetation.

### Activities Requiring a Permit

- 9.3.1 A development permit must be obtained prior to:
- a. the subdivision of land;
  - b. residential, commercial, institutional or industrial development including:
    - i. the alteration of land;
    - ii. the disturbance of soil or vegetation; or
    - iii. construction of or addition to a building or structure;within a riparian assessment area.

### Exemptions

- 9.3.2 Notwithstanding Section 9.3.1, a development permit is not required for the following:
- a. development that does not involve residential, commercial, institutional or industrial uses;
  - b. residential, commercial, institutional and industrial development that is demonstrated to be outside of a Riparian Assessment Area;
  - c. residential, commercial, institutional and industrial development within a riparian assessment area where the development is separated from the stream by a dedicated and developed public road right-of-way;
  - d. renovations or repair of a permanent structure on an existing foundation to an extent which does not alter or increase the building footprint area;
  - e. minor additions to an existing building or structure, such as an increase in floor area up to 25% of the existing footprint, provided that the addition is located on the side or

- part of the building or structure most distant from the stream;
- f. development in accordance with a registered covenant or approved development permit that pertains directly and explicitly to riparian habitat protection, which:
    - i. is registered in favour of the Fraser Valley Regional District and/or Provincial or Federal interests; and
    - ii. establishes a riparian buffer.
  - g. routine maintenance of existing landscaping or lawn and garden areas;
  - h. removal of trees determined by a Certified Arborist or Registered Professional Forester (who is qualified to do tree risk assessment) to represent an imminent risk to safety of life and buildings;
  - i. forestry activities on Crown land undertaken under an approved Forest Stewardship Plan approved by the Ministry of Natural Resource Operations in accordance with the Forest & Range Practices Act;
  - j. riparian habitat enhancement or restoration works under the guidance of Provincial and Federal agencies;
  - k. installation of seasonal play or recreational equipment on existing yard/lawn areas, such as sandboxes or swing sets;
  - l. paths for personal use by the parcel owners, provided they do not exceed approximately 1.0 metre in width; are constructed of pervious natural materials with no concrete, asphalt, pavers or treated wood; do not involve structural stairs; require no removal of streamside vegetation; and do not impair stream bank stability;
  - m. local and regional park facilities;
  - n. emergency actions necessary to prevent, control or reduce immediate and substantial threats to life or property during flood, debris flood/flow, erosion, landslide, avalanche, stream avulsion and other geohazards events;
  - o. repair, maintenance and improvement of flood protection infrastructure and all related ancillary or accessory works, regulated and approved by Federal or Provincial agencies;
  - p. the development of an approved community water or sanitary sewer system that is not ancillary to a residential, commercial or industrial development;
  - q. Federal and Provincial regulated utilities, including railways, transmission lines or a pipelines;
  - r. public road or highway works;
  - s. repair or replacement of an existing driveway, culvert or bridge; and,
  - t. the construction of a single storey, detached residential accessory building or structure which is not intended to be used for any “residential occupancy” and which has a floor area not exceeding 20 square metres (215 square feet) and where:
    - i. the building or structure is located as far from the stream as possible and in the location on the parcel that minimizes impacts to riparian habitat; and,
    - ii. it is not possible to construct the building, structure or deck outside the riparian assessment area.

9.3.3 Where there is uncertainty regarding the location of development in relation to a Riparian Assessment Area or the nature of stream, the Regional District may require:

- a. a plan prepared by a BC Land Surveyor or Qualified Environmental Professional



- to confirm whether the planned disturbance is within the Riparian Assessment Area; or
- b. a report prepared by a Qualified Environmental Professional to determine if the stream satisfies the definition criteria.

### Guidelines

In order to achieve the objectives of Development Permit Area 2-B, the following Guidelines shall apply to the issuance of Development Permits:

#### *Issuance of Development Permits*

- 9.3.4 Each development permit application should, as a minimum, be accompanied by:
- a. where applicable, an Assessment Report prepared by a QEP in accordance with the Assessment Methods and Development Permit Area 2-B guidelines for the purpose of determining the applicable SPEA and other measures necessary for the protection of riparian areas;
  - b. a scaled siting proposal clearly and accurately identifying all streams and water features, high water mark, top of bank, top of ravine bank, edge of wetland, riparian assessment area and the SPEA boundary in relation to existing and proposed property lines and existing and proposed development, as well as the locations of works and activities recommended in the Assessment Report; and,
  - c. written certification that the proposed development is consistent with the Guidelines of Development Permit Area 2-B and the Riparian Areas Regulation, and identifying any mitigation or compensation measures that are consistent with the Guidelines, including measures that may be specified as Development Permit conditions.
- 9.3.5 Pursuant to the Riparian Area Regulation and the Local Government Act, the Assessment Report prepared by a QEP should specifically consider and make recommendations respecting:
- a. the siting of buildings, structures or uses of land;
  - b. areas to remain free of development;
  - c. the preservation, protection, restoration or enhancement of any specified natural feature or area;
  - d. works to preserve, protect, or enhance a natural watercourse or other
  - e. specified environmental feature;
  - f. protection measures to be taken to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, or control erosion or protect the banks of watercourses; and,
  - g. timing of construction to avoid or mitigate impacts.
- 9.3.6 Where a development permit relates to the subdivision of land, an Assessment Report prepared by a QEP should:
- a. identify adequate building sites - including but not limited to building locations; front, rear and side yard areas; site services including sewage disposal facilities and water supplies; access; and, parking - on each proposed lot;
  - b. identify streams that may be impacted by the proposed development; and c. consider whether any natural watercourses should be dedicated pursuant to Section 920(7)(c) of the Local Government Act.
- 9.3.7 The Regional District is authorized to issue a Development Permit after

receiving:

- a. notification by the Ministry of Environment that Fisheries & Oceans Canada and the Ministry have been:
  - i. notified of the development proposal; and,
  - ii. provided with a copy of an assessment report which meets the requirements of the Riparian Areas Regulation; or,
- b. documentation demonstrating that Fisheries & Oceans Canada has, with respect to the proposed development, authorized the “harmful alteration, disruption or destruction” of fish habitat pursuant to Section 35 of the Fisheries Act or amendments thereto.

9.3.8 A development permit may include as a term or condition any recommendation made by QEP in an Assessment Report respecting:

- a. the siting of buildings, structures or uses of land;
- b. areas to remain free of development;
- c. the preservation, protection, restoration or enhancement of any specified natural feature or area;
- d. dedication of natural water courses to the Crown;
- e. works to preserve, protect, or enhance a natural watercourse or other specified environmental feature; and,
- f. protection measures to be taken to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, or control erosion or protect the banks of watercourses.

9.3.9 A development permit may impose terms and conditions respecting the:

- a. sequence and timing of construction including but not limited to timelines for completion of the works identified in the permit;
- b. co-ordination of geotechnical recommendations by a Qualified Environmental Professional or Professional Engineer licensed in Province of British Columbia;
- c. minor modification of a SPEA as generally described in the Riparian Area Regulation Implementation Guidebook where no impacts to fish habitat occur and as recommended in an Assessment Report by a Qualified Environmental Professional.

9.3.10 A development permit may vary or supplement a bylaw under Division 7 or 11 of the Local Government Act provided that the variance or supplement is in accordance with the objectives and guidelines of Development Permit Area 2-B.

#### *Measures to Protect the Streamside Protection and Enhancement Area*

9.3.11 Land shall be developed strictly in accordance with the development permit issued.

9.3.12 No building or structure of any kind should be located, no vegetation should be disturbed, and no soils should be removed or deposited within a Streamside Protection and Enhancement Area except in accordance with the development permit and Assessment Report.

9.3.13 The SPEA boundary should be clearly flagged, staked or otherwise marked during all development phases to avoid encroachment into the Streamside Protection and Enhancement Area.

### *Geotechnical Hazards*

9.3.14 Where a proposed development requires geotechnical evaluation pursuant to a geotechnical hazard development permit area or Section 25 of the Community Charter, the riparian assessment should be coordinated with the geotechnical evaluation in order to provide a comprehensive development permit application.

### Permit Security

9.3.15 The Regional District may require the applicant to provide security in the form of cash or an unconditional, irrevocable and automatically renewing letter of credit in cases where:

- a. security for the performance of conditions respecting landscaping is necessary;
- b. the Regional District considers that damage to the natural environment could result as a consequence of a contravention of a condition in a development permit;
- c. the Regional District considers that unsafe conditions could result as a consequence of a contravention of a condition in a development permit;  
or,
- d. the permit holder is required to retain, restore or replace native vegetation.

9.3.16 The amount of the security should be sufficient to cover the cost of any work that may be undertaken by the Regional District to correct deficient landscaping conditions, an unsafe condition, and damage to the natural environment that could reasonably be expected to result from the contravention of the permit.

9.3.17 A Letter of Undertaking signed and sealed by a Qualified Environmental Professional may be accepted in lieu of security where:

- a. the nature of required works, such as landscaping, are minor and the risk of damage to the natural environment is low;
- b. the Letter of Undertaking is signed and sealed by a Qualified Environmental Professional; and, the Qualified Environmental Professional will undertake the works and provide to the Regional District a post-construction certification and inspection report as outlined in Section 9.3.18.

### *Post-Construction Certification and Inspection*

9.3.18 Upon completion of the works authorized by a development permit - and for certainty upon expiry of any timeline for completion of works established as a term or condition of a development permit - the holder of the permit must submit to the Regional District and the Ministry of Environment post- construction certification from a QEP which:

- a. certifies that the development has been carried out in accordance with the Assessment Report and that terms and conditions set out in the assessment report and the development permit have been properly implemented; or,
- b. identifies and documents all instances of non-compliance with the assessment report and the development permit and any measures necessary to correct deficiencies, including any works that should be undertaken by the Regional District as contemplated by Section 9.3.16.

9.3.19 The requirement for post-construction certification and inspection may be waived by a condition in a development permit.

### Offence

9.3.20 Failure to:

- a. obtain a development permit where one is duly required; or,
- b. develop land strictly in accordance with a development permit issued; are offences under the Local Government Act and are contrary to the bylaws, regulations or policies of the Regional District. Upon summary conviction, penalties for offences may be up to the maximum set out in the Local Government Act.

9.3.21 Employees, officers and agents of the Regional District may enter, at all reasonable times, a property to inspect and determine whether the requirements of Development Permit Area 2-B and the terms and conditions of a development are being met.

Definitions

9.3.22 In DPA 2-B, the following terms have the meanings described below: “Assessment Methods” means the assessment methods set out in the Schedule to the Riparian Areas Regulation.

“Assessment Report” means a report certified by a Qualified Environmental Professional and prepared in accordance with the Riparian Areas Regulation Assessment Methods and the guidelines of Development Permit Area 2-B to assess the potential impact of a proposed development in a riparian assessment area.

“development” includes the alteration of land, the disturbance of soil or vegetation, and construction of or addition to buildings and structures.

“high water mark” means the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.

“Qualified Environmental Professional” and “QEP” mean a qualified environmental professional as defined in the Riparian Areas Regulation. “ravine” means a narrow valley with an average grade on either side greater than 3:1 measured between the high water mark of the watercourse contained in the valley and the top of the valley bank, being the point nearest the watercourse beyond which the average grade is less than 3:1 over a horizontal distance of at least 15 metres measured perpendicularly to the watercourse;

“Riparian Assessment Area” means

- a. for a stream, the 30 metre strip on both sides of the stream, measured from the high water mark;
- b. for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and,
- c. for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

“Riparian Areas Regulation” means B.C. Reg. 376/2004 and amendments thereto.

“Streamside Protection and Enhancement Area” and “SPEA” mean an area:

- a. adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream; and,
- b. the size of which is determined in accordance with the Riparian Areas Regulation on the basis of an Assessment Report provided by a Qualified Environmental Professional.

“stream” includes any of the following that provides fish habitat:

- a. a watercourse, whether it usually contains water or not;
- b. a pond, lake, river, creek or brook; or,
- c. a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

## 10. TEMPORARY USE PERMITS

Section 921 of the Municipal Act allows for the issuance of permits for temporary commercial or industrial uses in areas designated within an Official Community Plan. Temporary use Permits may be issued for a period of up to 2 years, and may be renewed once. Table 4 summarizes the types of uses and locations of use which may be permitted through Temporary Use Permits.

It is the Regional Board’s policy that:

10.1 The Community Plan Area, as shown on Schedule B of Bylaw No. 0150, is designated for the issuance of Temporary Commercial and Industrial Use Permits for the following types of uses:

- (a) special events of a commercial nature which are of limited duration and which do not preclude or compromise future permitted uses on the proposed site of the temporary use;
- (b) seasonal, commercial recreational uses which require temporary public assembly or equipment storage areas;
- (c) industrial or commercial uses which comply with the area designation policies but where appropriate zoning does not presently allow for such uses. To provide for temporary approval of transitional uses or uses where uncertainty exists as to their appropriateness or viability and where it is premature to decide upon rezoning and long-term land use rights, a temporary use permit may be issued for a limited period.

10.2 A Temporary Commercial or Industrial Use Permit may be issued within the RURAL and LIMITED USE area designations, as shown on Schedule B of Bylaw No. 0150, for the following types of uses:

- (a) short-term industrial activity such as portable asphalt plants, portable rock crushers, heavy equipment storage and construction yards related to specific industrial projects of limited duration;

(b) temporary sand and gravel extraction.

10.3 A Temporary Commercial or Industrial Use Permit may be issued within the RURAL AREA designation, as shown on Schedule B of Bylaw No. 0150, for other temporary commercial uses.

<b>TABLE 4: TEMPORARY USE PERMITS</b>	
<b>Type of Use Which May be Permitted</b>	<b>Area Where Use May Be Permitted</b>
Special Commercial events (10.1)	Community Plan Area
Seasonal Commercial recreation (10.1)	Community Plan Area
Transitional or experimental commercial or industrial uses (10.1)	Community Plan Area
Short Term industrial (10.2)	RURAL AND LIMITED USE AREAS
Temporary sand and gravel extraction (10.2)	RURAL AND LIMITED USE AREAS
Other commercial or industrial uses (10.3)	RURAL AREAS

## 11. ADMINISTRATION

In the previous Official Community Plan, Yale embarked upon an ambitious program to stem the trend of population decline. While the population base for the Plan area appears to have stabilized in more recent years the population of Yale continues its decline. The policies and designations of the Plan remain important in attempting to stem the decline of Yale and to establish guidance and objectives which will continue to provide a context for future development and settlement. The Yale Community is distinct from other unincorporated settlements in the Regional District due to its history and form of development and the strong sense of local identity and independence. It is unlikely to reach a size where incorporation would be necessary or affordable. Residents have expressed a desire to remain unincorporated. However, a more formal basis for community representation and decision making is appropriate for Yale, given the wide range of ongoing revitalization and development activities.

Community based development depends upon a direct commitment by local residents. Greater local autonomy and responsibility in Yale would assist in undertaking and co-ordinating community improvements. Where requested by local residents, the Regional Board will endeavor to assist in establishing more formal community representation.

It is the Regional Board's policy that:

11.0.1 The Regional Board will support and assist in increasing the representation and involvement of the community in local decision making where requested by local residents.

## 12. INTERPRETATION

Terms not defined in this section carry the same meaning as in Provincial statutes and the bylaws of the Fraser Valley Regional District. The following terms used in this Plan shall have the meaning stated:

**ACCESS** means the access permitted and specified in a Highways Access Permit issued by the Ministry of Transportation and Highways; see also PUBLIC ACCESS;

**ACCESSORY RESIDENTIAL USE** means a use accessory to a mobile home park, to a commercial use, to a tourist accommodation use or to an industrial use, where the building or buildings so used include one dwelling unit for the accommodation of the owner, operator or manager;

**ADVISORY PLANNING COMMISSION** means a commission established under Section 898 of the Municipal Act which is responsible for advising the Regional Board on planning concerns of the local community referred to it by the Board;

**AGRICULTURAL LAND RESERVE** means land that is designated as such under Section 11 of the Agricultural Land Commission Act by Order-In-Council and is subject to the provisions of the Agricultural Land Commission Act of the Province of British Columbia and regulations thereto;

**AGRICULTURAL USE** means the use of land for the growing, rearing, producing, and harvesting of agricultural products; includes the storing and complete processing on an individual farm of the products harvested reared or produced on that farm only; and includes farming, forestry, fishing, greenhouse, kennels and nurseries uses;

**ALLUVIAL FAN** means the alluvial deposit of a stream where it issues from a steep mountain valley or gorge upon a plain or at the junction of a tributary stream with the main stream;

**APPROVAL** means approval in writing;

**APPROVED COMMUNITY SEWER SYSTEM** means a public or private system of pipes of sufficient capacity to carry sewage from an area to connected treatment and disposal facilities as approved by the Waste Management Act or the Health Act;

**APPROVED COMMUNITY WATER AND SEWER SYSTEMS OR EQUIVALENT** means systems built to the same standard and approved under most circumstances by the same agencies as in the case of an "approved community water system", and an "approved community sewer system", but may be owned, operated and maintained by a corporation, strata corporation or cooperative;

**APPROVED COMMUNITY WATER SYSTEM** means a system of waterworks which services two or more parcels, which is approved by the Ministry of Health, and which: is

owned, operated or maintained by the Regional District pursuant to the Municipal Act; or is owned, operated or maintained by an Improvement District under the Municipal Act; or is regulated under the Water Utility Act; or is owned, operated or maintained by a strata corporation pursuant to the Condominium Act;

**ARTISAN-CRAFT WORKSHOP USE** means an activity of a gainful nature which is carried on by an artificer who practices, cultivates or instructs in craftsmanship and/or arts; includes artists' and potters' studios, workshops for the assembly and manual repair of specialized equipment used by skilled artisans, musicians, horologists and the like, antique furniture and painting, restoration and repair, glass blowing, wood or stone carving, and all other similar activities; specifically excludes automobile, trailer and bicycle workshops, yards for trade and landscape contractors, boat-building, service establishments for small appliances, office and amusement machinery and audio-visual equipment, food processing, personal service establishments, gunsmithing, locksmithing and similar pursuits, taxidermy, tanneries and pet-breeding or care facilities, laboratories and professional offices, audio-visual production services and all other related occupations and businesses;

**ASSOCIATED COUNTRY RESIDENTIAL USES** means a variety of uses clearly ancillary or accessory to a country or rural residential use including greenhouses, artisan craft workshops and home occupations;

**ASSOCIATED RURAL RESIDENTIAL USES** means a variety of uses associated with, but clearly ancillary or accessory to a rural residential use; includes associated country residential use, cottage industries, outside storage of firewood for sale, kennels and golf courses;

**BARE LAND STRATA** means a subdivision pursuant to the Condominium Act:

**BOARD ACTION** means any resolution or undertaking of the Regional Board;

**BUILDING BYLAW** means any building bylaw applicable to Electoral Area "B" of the Fraser Valley Regional District enacted pursuant to Section 694 of the Municipal Act;

**CAMPGROUND** means any lot or parcel operated and occupied for part of the year only as temporary accommodation for holiday makers in recreational vehicles, travel trailers or tents but which involves no buildings, structures or service connections except as provided for in the zoning and regulatory bylaws of the Regional District and which is either operated for remuneration or is licensed accommodation under the regulations made pursuant to the Travel Bureau Act of the Province of British Columbia; does not include sites owned or leased under the Condominium Act, holiday park, mobile home park or hotel, motel, motor hotel, resort, or a camp licensed under the Community Care Facilities Licensing Act of the Province of British Columbia;

**CONSERVATION USE** means the preservation and protection of natural resources and assets in their natural state, including the habitat of birds, fish and other wildlife;

**COTTAGE INDUSTRY USE** means an activity of a gainful nature which is not defined as an offensive trade in the Health Act, R.S.B.C. Ch. 179, 1996, Section 113, which occupies a building accessory to residential and agricultural land uses, which includes ancillary retail and office facilities and which does not employ or involve more than three operators or employees, the principal of whom shall be resident on the parcel. Cottage industry use includes custom



stone, textile, wood and metal working facilities, wholesale bakeries, plants processing and packing food grown or raised on the parcel, cottage wineries, cold storage facilities, frozen food lockers and ice-manufacturing plants, locksmiths, gunsmiths, tinsmiths, print shops, audio visual and photographic studios, small appliances and office machinery repair, non-motorized bicycle repair shops;

**COUNTRY RESIDENTIAL USE** means the use of land for residences on the basis of one principal dwelling unit per parcel at a maximum density of 0.4 ha per site for new subdivisions with community water services;

**CREATE** means the enlarging of a land area designation by adding noncontiguous areas to it;

**DESIGNATION** means the area of land to which the land-area policies of Section 4 apply;

**DEVELOPABLE LAND** means land without topographic or other physical constraints and with safe building site and access, which is suited to residential and other forms of development;

**DEVELOPMENT APPLICATION** means an application pursuant to an enacted provision of a Responsible Authority which affects the development of any land within the area covered by the Plan;

**DEVELOPMENT TRENDS** means the rate, location, type, pattern and course of urban or industrial development and the social, economic, fiscal and environmental impacts of such development on a community or region;

**EXTEND** means the enlarging of a land-area designation by adding contiguous areas to it;

**FLOODPLAIN** means an area of land, whether floodproofed or not, which is susceptible to flooding by a watercourse, lake, ocean or other body of water, including areas shown on Schedule D of this Plan;

**GEOTECHNICAL STUDY** means a study or studies prepared by a professional engineer with training and experience in geotechnical engineering, licensed in the Province of British Columbia which addresses conditions of flooding, mud flows, debris flows, debris torrents, erosion, land slips, rockfall, subsidence or avalanche;

**HIGHWAY COMMERCIAL** means a commercial use located adjacent, or nearly adjacent, to routes of travel of regional significance which is intended to serve the needs of an itinerant motoring population; includes service stations, gas bars, restaurants and tourist information booths, but excludes major tourist recreation commercial uses, local and local tourist commercial uses;

**HOLIDAY PARK** means a lot or parcel operated and maintained for the sole purpose of providing two or more recreational camping sites or holiday or summer home sites;

**HOME OCCUPATION USE** means a use accessory to a one-family residential use where the householder carries on an occupation, craft or profession for remuneration;

**INTENSIVE AGRICULTURE** means the use of land, buildings or structures by a commercial enterprise or institution for: (a) the confinement of poultry, livestock or fur bearing animals; or (b) the growing of mushrooms;

**LOCAL COMMERCIAL USE** means a commercial use intended to serve the day-to-day needs of the local population residing in the vicinity of the local commercial use; includes general stores, convenience stores, small personal service establishments and artisan-craft workshop uses;

**LOW DENSITY COMMERCIAL RECREATION** means a low density group recreation use carried out on a seasonal or temporary basis, including ranches, lodges, recreation camps and private recreational, institutional or cultural facilities; includes outdoor recreation use but excludes natural camping ground use;

**MAXIMUM SITE COVERAGE** means the proportion of a parcel of land which is used for buildings, structures, driveways, patios, swimming pools and other development covering the surface of land;

**NATURAL BOUNDARY** means the visible high-water mark of any lake, river, stream or other body of water, where the presence and action of the water are so common and usual, and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof in respect to vegetation, as well as in respect to the nature of the soil itself;

**NATURAL GROUND** means the level of the surface of the ground which occurs or occurred naturally and before any excavation or construction activities;

**OFFICIAL COMMUNITY PLAN** means a plan prepared and adopted by a regional board by bylaw pursuant to Sections 875, 876, 877, 878, 879, 880 and 881 of the Municipal Act which applies to all or parts of the electoral areas of a regional district. It forms the basis for preparing development bylaws in an electoral area;

**ON-SITE SERVICES** means the provision of an individual water supply and an on-site sewage disposal system in accordance with the standards of the Responsible Authorities pursuant to the requirements of the Health Act, the Waste Management Act, and bylaws of the Regional District;

**OPEN ZONE** means an area designation in a zoning bylaw within which most land uses defined in the bylaw would be permitted. Designation of a given parcel into the "open" zone would normally be accompanied by registration of a written agreement between the land owner and the Regional District specifying the permitted uses and the detailed conditions of use;

**OUTDOOR RECREATION** means providing for extensive open air commercial recreation facilities for active physical participation and the retail sales and services clearly incidental to such facilities; does not include golf courses;

**PLAN AMENDMENT** means a bylaw amending a schedule of this Plan prepared and adopted pursuant to the Municipal Act;

**PUBLIC ACCESS** means the unrestricted right of the general public to cross lands without the need for any approvals or specified permits;

**PUBLIC USE** means the use of land by a government or administrative body intended primarily to serve the day-to-day needs of the population residing in the local vicinity, and includes civic, transportation, airport and related uses, utility, institutional, recreation and conservation uses but excludes commercial recreation use;

**RECREATION USE** means public park, conservation, recreation, and other ancillary uses as a permitted by the Responsible Authorities; excludes commercial recreation uses;

**RESPONSIBLE AUTHORITIES** means a governmental and/or administrative body, operating in part or in total within the region, which is charged with or capable of enacting government provisions affecting the development of land or the construction of public works within the region; includes a member municipality, a regional district, the Province of British Columbia, the Government of Canada, and their agencies;

**RESOURCE EXTRACTION USE** means mining and the extraction of aggregate materials; includes mining; forestry, fishing and associated local transportation uses;

**RESOURCE INDUSTRIAL USE** means uses related to the extraction, primary processing, transport and manufacturing of products from primary natural resource materials; includes log booming, sawmills, pole treatment plants and gravel sorting and screening plants and similar related industries;

**RURAL RESIDENTIAL USE** means the use of land for single-family residences at a maximum density for new subdivisions with on-site services, of up to one (1) lot per two (2) hectares;

**SELF-CONTAINED PLANNED UNIT DEVELOPMENT** means a strata title development, pursuant to the Condominium Act, consisting of two or more lots or sites for residential use of a retirement, seasonal or recreational character; excludes a mobile home park, motel and campground;

**SEMI-PUBLIC USE** means the use of land by a religious organization, club, lodge, fraternal organization, society or association intended to serve the needs of the population residing in the vicinity of the semi-public use; includes churches; day-care facilities; meeting halls and club uses;

**SPECIAL EVENT** means the use of land for temporary commercial or industrial use including fairs or concerts, campsites, assembly use, recreation use, emergency operations and other event-related land uses;

**STRATA MOBILE HOME PARK** means a mobile home park use on a bare land strata subdivision with one dwelling unit per strata lot;

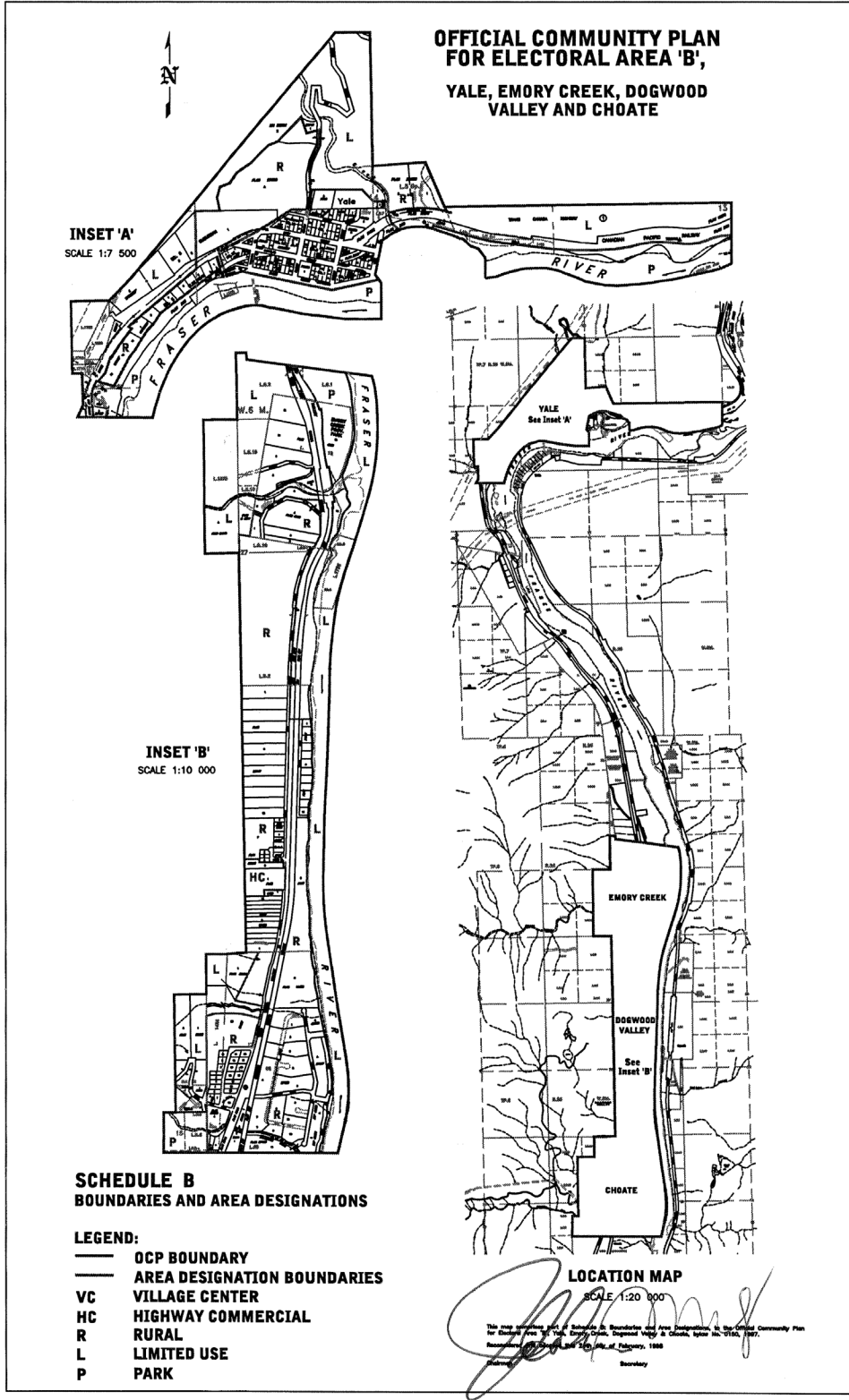
**SUBDIVISION CONTROL PROCESS** means the division of land into two or more parcels, or the consolidation of two or more parcels, whether by plan, apt descriptive words, or otherwise; and includes land parcels registered under the Condominium Act and Crown leases;

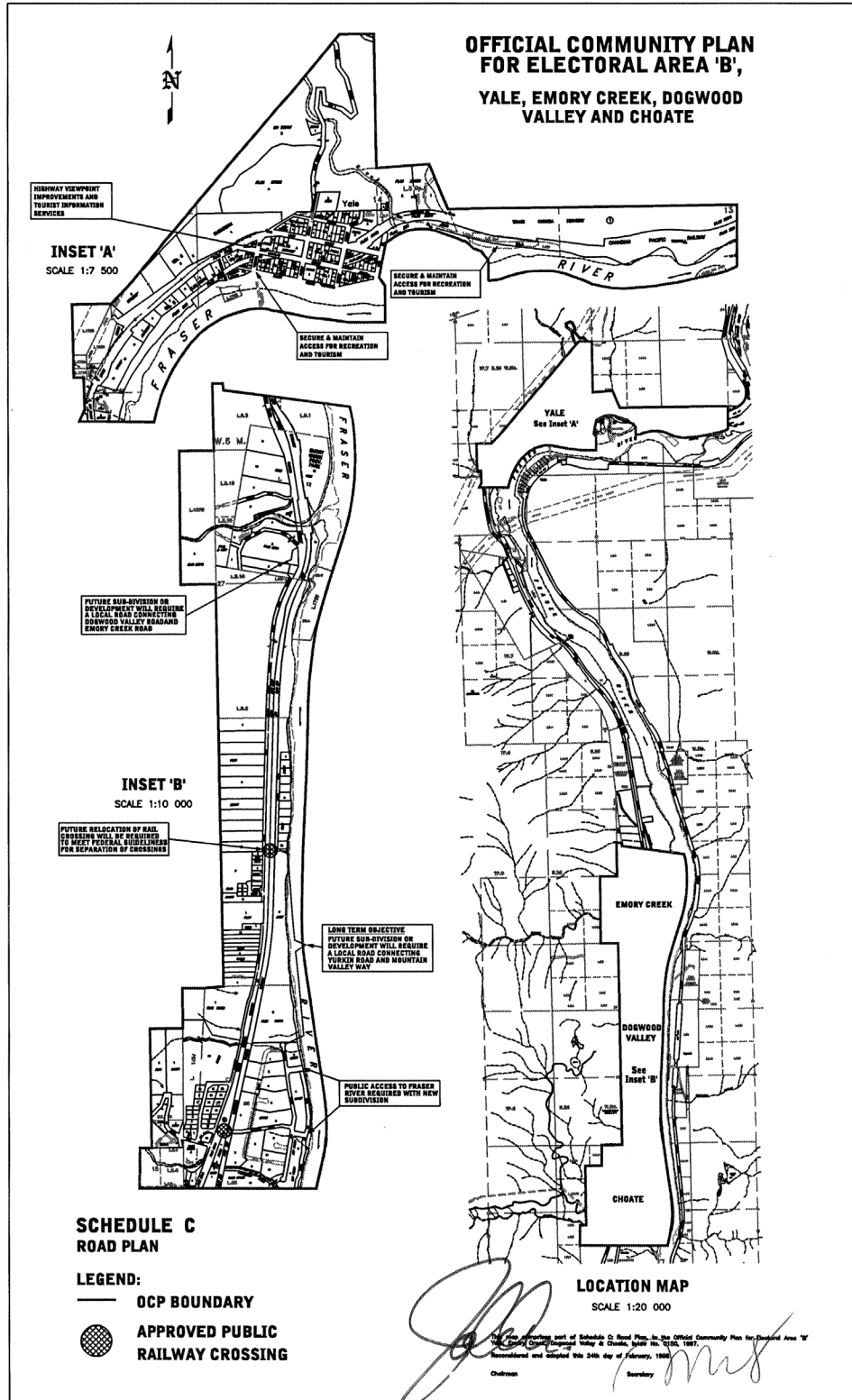
**TECHNICAL LIAISON** means the participation and cooperation between the Regional Board and the federal and provincial governments and their agencies toward the successful implementation of the Plan's policies.

**TEMPORARY USE** means a commercial or industrial use for which a Temporary Use Permit pursuant to Section 921 of the Municipal Act is issued;

**UTILITY USE** means a use of land for major electrical, gas and oil transmission lines, major communication facilities and trunk water, sewer and storm drainage lines;

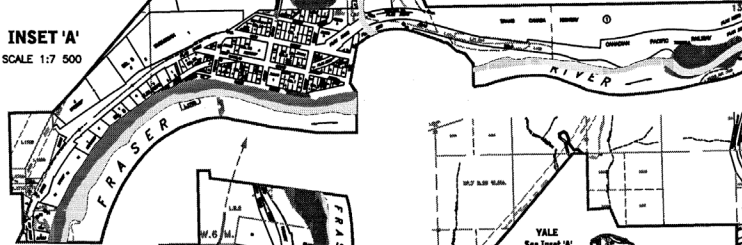
**WATERCOURSE** means any natural or man-made depression with well defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) square kilometres or more upstream of the point of consideration, or as designated by the Minister of Environment and Parks, or a Designated Official.



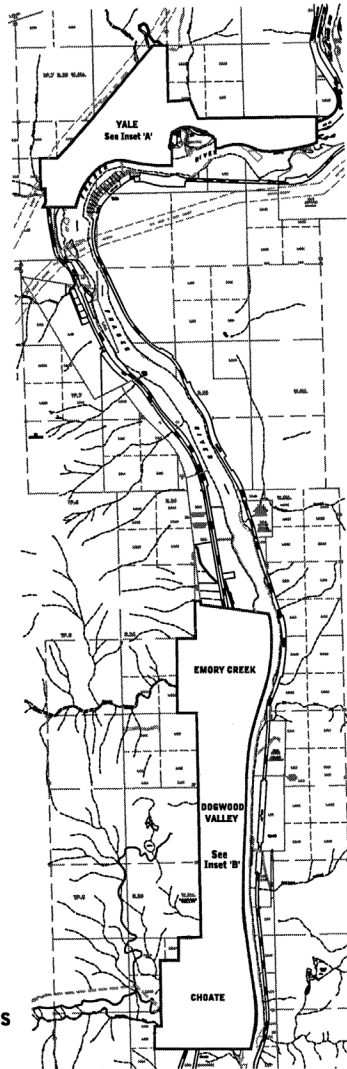
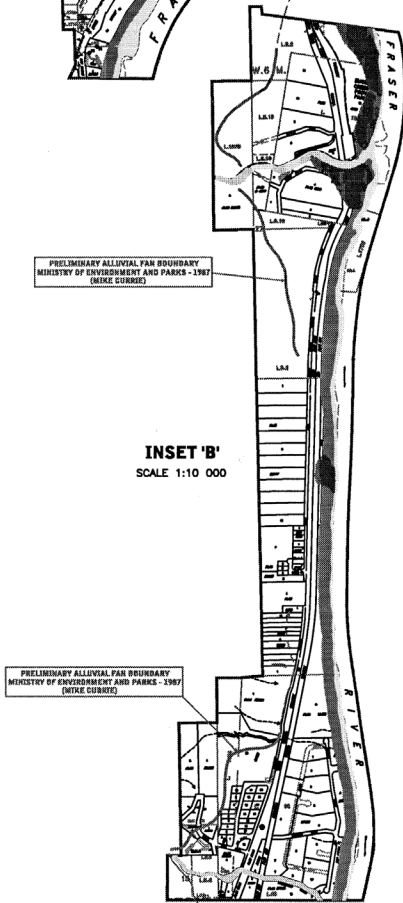


**OFFICIAL COMMUNITY PLAN  
FOR ELECTORAL AREA 'B',  
YALE, EMORY CREEK, DOGWOOD  
VALLEY AND CHOATE**

**INSET 'A'**  
SCALE 1:7 500



**INSET 'B'**  
SCALE 1:10 000



**SCHEDULE D  
RIVER HAZARDS AND ENVIRONMENTAL FEATURES  
LEGEND:**

- OCP BOUNDARY
- FRASER RIVER FLOOD & EROSION HAZARD AREAS
- ▨ ENVIRONMENTALLY SENSITIVE AREAS
- HERITAGE SITES REFERRAL AREAS

**LOCATION MAP**  
SCALE 1:20 000

This schedule is a part of Schedule D: River Hazards and Environmental Features, in the Official Community Plan for Electoral Area 'B', Yale, Emory Creek, Dogwood Valley & Choate, under No. 0150, 1987.  
Approved and adopted this 24th day of February, 1988.  
Chairman: \_\_\_\_\_  
Secretary: \_\_\_\_\_

