



6.1 David Huggins Re: Section 57 Notice

David Huggins, owner of the property identified as PID 029-166-748 which was being considered for a Section 57 notice on title, presented to the Regional Board regarding the possible Section 57 and a discussion of his application of Development Variance Permit No. 24-005 that was refused by the Board during the July 18, 2024 Regional Board Meeting. His presentation included the following:

- Clarification on inconsistencies in the communications and reports submitted to the Regional Board regarding the accessory building on his property, which included:
 1. Building Bylaw exemption on farm buildings. The presenter explained that he had confirmed with staff that farm buildings did not require a Building Permit before construction. After construction, he contended that the first action taken by the Regional District was a notification of the pending Section 57, contrary to the Bylaw Enforcement Policy. He stated that he reconfirmed with the Building Inspector that farm buildings were exempt, and the presenter provided the Regional District an engineered drawing of the building and photographs depicting the use of farming on the property and in the building.
 2. Farm and building use. The presenter explained that farming activities started in the spring of 2019, and an application for farm status was submitted to BC Assessment resulting in the property receiving farm status in 2020. He stated that the contested building housed equipment and supplies used for farming activities.
 3. Neighbourhood support. The presenter provided signed documentation of support from over 150 people, who agreed that the building was consistent with the neighbourhood, and that the size did not negatively affect any neighbouring properties.
 4. Precedence. The presenter listed a number of Development Variance Permits (DVP) with applications of similar buildings that were previously approved by the Regional Board.
 5. The complaint which resulted in the proposed notice on title. The presenter contended that the complaint was personally motivated with the intent to cause harm, and that the lack of policy and procedure during the investigation and enforcement was suspect. He stated that he submitted a Freedom of Information request to obtain a copy of the complaint and discovered that no legitimate complaint had been filed.
 6. Inconsistencies in the Development Variance Permit 24-005 Report submitted to the Board on July 18, 2024. The presenter maintained that the building was not contrary to Building Bylaw, that the action was based on a complaint, and that the first step taken by the Regional District was to apply a notice on title. He also explained that there was no consideration given regarding his farming activity.
 7. Missing details from the memo from the Building Inspector dated July 15, 2024. The presenter went through the timeline of the Section 57 process on his property, beginning with the initial site visit up to the DVP refusal at the July 18, 2024 Regional Board meeting, highlighting discrepancies between the presenter's experience and the memo from the Building Inspector.

The delegate thanked the Board for listening to his presentation.