

# Request for Decision



To: Regular Meeting  
From: **Development & Planning**  
Date: July 11, 2022  
Subject: Zoning Bylaw Amendment Bylaw No.2039-A22 final reading  
Recommendation: **THAT Council give final reading to Zoning Bylaw Amendment Bylaw No.2039-22**

## Purpose

For Council to consider giving final reading to Zoning Bylaw Amendment Bylaw No.2039-A22 which would rezone lands legally described as Parcel Z District Lot 380 Similkameen Division Yale District Plan 35 Except Plans 10223, KAP47308 and KAP56956, PID: 008-286-701, located at 2345 68th Avenue, from R1 - Single and Two Family Residential to R2 - Small Lot Residential.

## Background

On April 13 of 2022, staff received submission materials for a re-zoning application for a property located at 2345 68th Avenue in Grand Forks. Broadly, the applicant intends to create a 35-lot simple subdivision for a modular home single-family development. (Figure 1).

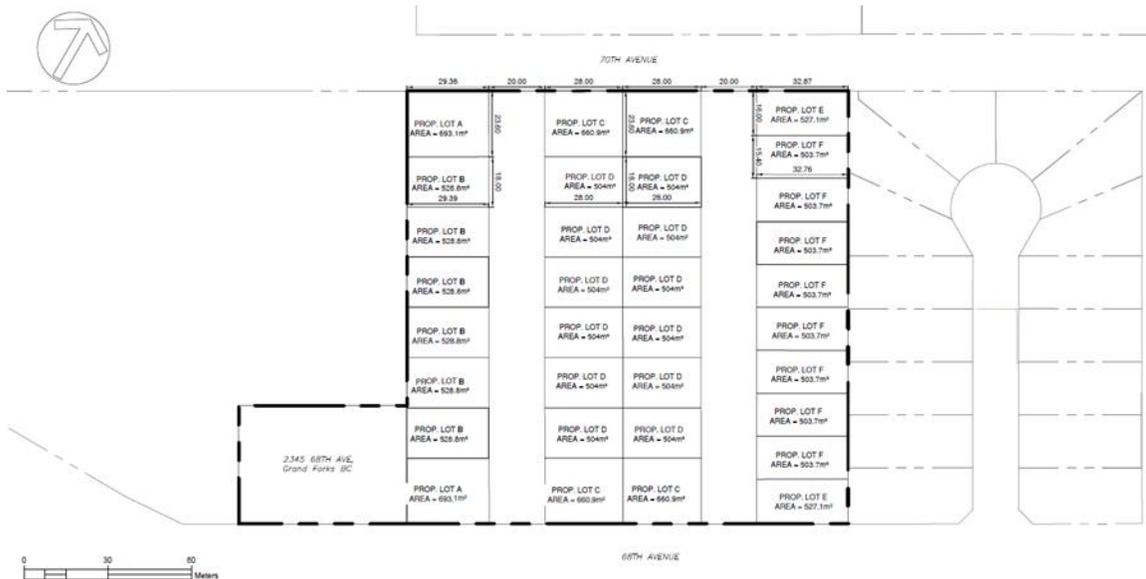


Figure 1: Draft site plan submitted as part of a Re-Zoning Application. Subject to change upon formal staff review - pending rezoning.

At the May 9, 2022, regular meeting, Council gave first and second readings to the bylaw. A public hearing and third reading were held on May 30, 2022.

Feedback was received by three citizens within the 30 m radius of the rezoning area of interest. In summary, citizens inquired or were concerned about:

- zoning details, for example if tents or RVs are allowed.
- town growth
- water shortages causing damage to trees and lawns
- that more houses would use more water.

Although comments regarding water conservation and natural asset protection are valid, Council's Decision Point regarding this item was whether to rezone the property from R1 to R2. Concerns that were raised regarding future development and growth within the City of Grand Forks, should be addressed through the Official Community Plan (OCP) and other guiding documents and policies.

Third reading document was sent to the Ministry of Transportation and Infrastructure (MOTI) for signature. MOTI approved and endorsed the bylaw, which allows Council to proceed to final reading.

### **Zoning**

The table below shows the changes that will result from proposed rezoning:

<b>Zoning Bylaw 2039 section</b>	<b>Current Zoning Designation – R1</b>	<b>Proposed Zoning Designation – R2</b>
Minimum parcel size for subdivision when the parcel is connected to both a community sewage and water system.	s.36.3(c) <b>697 m<sup>2</sup></b>	s.39.4(c) <b>485 m<sup>2</sup></b>
Minimum size for a single-family dwelling	s.36.9 <b>40 m<sup>2</sup></b>	s39.10 <b>18 m<sup>2</sup></b>

The table below shows no changes regarding the following key Zoning bylaw sections:

Zoning Bylaw 2039 section	Current Zoning Designation – R1	Proposed Zoning Designation – R2
The following uses and no others are permitted	s.36.1(a) dwelling units; (b) religious centres; (c) day care centres; (d) bed and breakfast accommodations; (e) home occupations.	s.39.2(a) dwelling units; (b) religious centres; (c) day care centres; (d) bed and breakfast accommodations; (e) home occupations.
The following types of dwelling units are allowed on a parcel of land	s.36.4 (a) One single-family dwelling, plus one secondary suite and one garden suite; or (b) One two-family dwelling, plus one garden suite.	s.39.5 (a) One single-family dwelling, plus one secondary suite and one garden suite; or (b) One two-family dwelling, plus one garden suite.

**Official Community Plan (OCP)**

This parcel is designated as LR (Low Density Residential). The LR designation is found throughout Grand Forks and includes more traditional residential development, consisting generally of single-family dwellings and duplexes, developed to a maximum density of 20 units per hectare (UPH). The rezoning and development will allow for a slight increase in density but will still be well below the maximum density permitted for this land use designation.

Parcel size	Proposed # Of units & sizes	Maximum density	Proposed density
27,095 m2 2.7 ha	35 parcels at ~500 m2 ~ 693 m <sup>2</sup> range	20 UPH	13 UPH

**Point of Decision**

Council’s point of decision currently is whether to give Zoning Bylaw No.2039-A22 final reading. Giving final reading to this amending bylaw would work toward rezoning the site from R-1 (Single and Two Family Residential) to R-2 (Residential – Small Lot).

Subsequent subdivision and development applications will be processed by staff as necessary unless there is a requirement for future Council decision beyond the rezoning.

## Tentative Timeline

Activity	Date (2022)
Application received	April 13
Staff review document initiated	April 22
Referral (Internal) sent to Staff	April 29
Referral (External) sent to agencies	May 4-6
RFD for 1st & 2nd readings of Zoning Bylaw Amendment	May 9
Notice of public hearing mailed to adjacent property owners	May 10
Gazette ad #1 published	May 18
Referral (External) comments back by	May 18
Gazette ad #2 published	May 25
Written comments/feedback from public by	May 27
Public hearing	May 30
RFD 3 <sup>rd</sup> reading	May 30
MOTI approval of bylaw	June 22
RFD for adoption	July 11
Implementation	July-August

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## Benefits or Impacts

### General

Rezoning the property to R-2 (Residential – Small Lot) aligns with the LR (Low Density Residential) land use designation contained in the City’s OCP. It also encourages higher density residential development and increased variety in housing forms within developed areas – see Section 4.2.3 of our OCP.

### Finances

Rezoning to a higher density designation will certainly translate into impacts on the local economy, on the housing market and on the financial sustainability of the City itself.

### Strategic Impact

- Increase housing opportunities where infrastructure already exists
- Promote infill development, including higher densities and housing variety
- Facilitate development of the West End
- Support initiatives to revitalize, beautify, and improve Grand Forks

## **Risk Assessment**

### Compliance:

- Local Government Act – Part 14
- Official Community Plan Bylaw No.1919
- Zoning Bylaw No.2039
- Transportation Act s.52
- Planning Procedures and Fees Bylaw No.1669

### Risk Impact:

Low

### Internal Control Process:

Staff are following City bylaws and the legislated requirements set out in the Local Government Act.

## **Next Steps / Communication**

Should Council give final reading to Zoning Bylaw Amendment Bylaw No.2039-A22, staff will continue the process required.

## **Attachments**

- 1) Property Maps
- 2) Zoning Bylaw Amendment Bylaw No.2039-A22

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## **Recommendation**

**THAT Council give final reading to Zoning Bylaw Amendment Bylaw No.2039-22**

## **Options**

1. Council could decide not to give final reading to Zoning Bylaw Amendment Bylaw No.2039-A22. However, staff do not recommend this as the rezoning is consistent with the Official Community Plan and the process is following the legislated procedural requirements.

### Report Approval Details

Document Title:	220711 RFD 2345 68th Ave for Zoning Bylaw Amendment Bylaw No.2039-A22 final reading.docx
Attachments:	- 1 Property Maps_S.pdf - 2 Bylaw 2039-A22_for Final ReadingNoMOTIsignature.docx
Final Approval Date:	Jul 4, 2022

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets

Daniel Drexler

Duncan Redfearn