

Request for Decision



To: Regular Meeting
From: **Development and Planning**
Date: July 11, 2022
Subject: First and second reading for a zoning amendment for Lot A 72nd Avenue to change from TC Tourist Commercial to R3 Multi-Family Residential
Recommendation: **THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No. 2039-A27.**

Purpose

For Council to consider giving first and second readings to the City's zoning bylaw regarding a rezoning application for lands legally described as LOT A DISTRICT LOT 520 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP61874, PID: 029-841-330.

Background

At the Regular Meeting of Council on January 11, 2021, Council passed a resolution which gave final reading to Zoning Bylaw Amendment Bylaw No. 2039-A17 and Official Community Plan Bylaw Amendment Bylaw No.1919-A5. The amendments rezoned the parcel from Multi-Family Residential (R-3) to Tourist Commercial (TC) and would apply the proper Development Permit Area to the parcel. The rezoning application was made with the intent to support a year-round recreational vehicle (RV) park.

Resolution #: R011/21/01/11 MOVED/SECONDED

THAT Council give final reading to Zoning Bylaw Amendment Bylaw No.2039-A17 and Official Community Plan Bylaw Amendment Bylaw No.1919-A5.

Carried

The applicants did not follow through with the RV Park, and subsequently sold the property. The new owners would like to rezone the parcel back to Multi-Family Residential with the intention of developing townhomes and maximizing the use of the property for residential purposes.

Zoning

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

Zoning Bylaw 2039 section	Current Zoning Designation – TC	Proposed Zoning Designation – R3
The following uses and no others are permitted	s.49.2 (a)hotels or inns; (b) recreational businesses and campgrounds; (c) tourist facilities and related amenities; (d) retail establishments; (e) restaurants. (f) convenience stores including gas bars	s.40.2 (a)dwelling units; (b)religious centres; (c) home occupations; (d)uses listed in the (Neighbourhood Commercial (NC) zone.
The following types of dwelling units are allowed on a parcel of land:		s.40.7 (a)multi-family dwellings; (b) apartment units.

Official Community Plan (OCP)

The proposed development aligns with OCP land use designations. The table below shows some key policy conforming points.

Designation	Policy Alignment
Community Hub	Encourage a diversity of rental, affordable and accessible housing. Encourage a transition in density around Community Hubs to the lower density of the surrounding neighbourhood.
Residential Neighborhoods	Support a range of housing forms including single-detached dwellings, laneway homes, secondary suites, two-unit dwellings, triplexes, fourplexes, and townhouses across all neighbourhoods.

The developer has indicated that proposed development densities will align with the OCP land use designations. Based on a parcel size of 2.1 ha (21,285 m²). Maximum buildout of 136 units or 64 units per ha.

Land Use Designation	Maximum density
Community Hub	40 to 120 UPH
Residential Neighborhoods	12 to 40 UPH

Point of Decision

Council's point of decision currently is whether to give Zoning Bylaw No.2039-A27 first and second reading. Giving first and second readings to the bylaw would work toward rezoning from the Tourist Commercial (TC) Zone to the R-3 (Multi-Family Residential) Zone.

Tentative Timeline

Activity	Date (2022)
Application and payment received	Jun 14
Staff review document initiated	Jun 29
Referral (Internal) sent to Staff	Jun 29
Referral (External) sent to agencies	Jun 29
RFD for 1st & 2nd readings of Zoning Bylaw Amendment	Jul 11
Notice of public hearing mailed to adjacent property owners	Jul 12
Referral (External) comments back by	Jul 29
Gazette ad #1 published	Aug 3
Gazette ad #2 published	Aug 10
Written comments/feedback from public by	Aug 10
Public hearing	Aug 15
RFD 3 rd reading	Aug 15
MOTI approval of bylaw	Aug 15 – Sep 8
RFD for adoption	Sep 19
Implementation	Sep - Oct

Benefits or Impacts

General

Rezoning the property to R-3 (Multi-Family Residential) aligns with the land use designations contained in the City's OCP. It also encourages higher density residential development and increased variety in housing forms within developed areas – see Appendix 2 of the new OCP Bylaw No.2089.

Finances

Rezoning the parcel to R-3 (Multi-Family Residential) will increase housing stock to Grand Forks, thereby stimulating the local economy.

Strategic Impact

- Creating opportunities to increase affordable housing.
- Support initiatives to revitalize, beautify, and improve Grand Forks.

Risk Assessment

Compliance:

- Local Government Act – Part 14
- Official Community Plan Bylaw No. 2089
- 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 first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A27, staff will continue with the legislative requirements for zoning/OCP amendment. Which will include a Development Permit Area (DPA) and a master plan for the site

Attachments

- 1) Property Maps
- 2) Zoning Bylaw Amendment Bylaw No. 2039-A27
- 3) Neighbourhood Commercial Use

Recommendation

THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No. 2039-A27.

Options

1. THAT Council does not give first and second readings to Zoning Bylaw Amendment Bylaw No. 2039-A27. Staff do not recommend this option. A higher density housing option is part of the City's 2022 strategic plan.

Report Approval Details

Document Title:	220711 RFD Lot A 72nd Ave Zoning Bylaw Amendment Bylaw No. 2039A27.docx
Attachments:	- 1 Property Maps_s.pdf - 2 Bylaw2039-A27_FirstSecond.docx - 3 Neighbourhood Commercial Use_s.pdf
Final Approval Date:	Jul 4, 2022

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

No Signature - Task assigned to Dolores Sheets was completed by assistant Daniel Drexler

Dolores Sheets

Daniel Drexler

Duncan Redfearn