

Request for Decision



To: Regular Meeting

From: **Development, Engineering and Planning**

Date: February 25, 2019

Subject: Third Reading – Rezoning from R1 – Residential (Single and Two Family Zone) to CD – 1 (Comprehensive Development 1 Zone) to accommodate a Mobile Home Park and Ecological Reserve – Boundary Drive North (File: ZA1803)

Recommendation: **THAT Council give third reading to Zoning Bylaw Amendment No. 2039-A2 and not proceed to final reading until the servicing agreement, development permit and all other identified issues are resolved to the satisfaction of the City.**

Background

Overview

On January 28, 2019 (see Agenda item No. 11.b), Council gave first and second reading to Zoning Bylaw Amendment No. 2039-A2, which will rezone 1.2 hectares (3 acres) from R1 – Residential (Single and Two Family Zone) to CD – 1 (Comprehensive Development 1 Zone) to accommodate a mobile home park and ecological reserve on the northerly extent of Boundary Drive.

A statutory public hearing was held at 6pm on February 11, 2019 Council heard comments from the public on the proposed bylaw amendment. These comments are summarized in the meeting minutes of the hearing.

After due consideration of comments received at the public hearing, Council may give the bylaw amendment third reading, thereby enabling the mobile home development to move forward into the detailed design stage.

Public Notification

In accordance with the requirements of the Local Government Act, notice of the public hearing was advertised in the Gazette on January 30th and February 6th. Written notification of the public hearing was also sent to property owners within 30 metres of the property to be rezoned. No written concerns or comments were received as a result of these notifications.

Issues to be Resolved Prior to Bylaw Adoption

The applicant will be required to address the following matters prior to final adoption of the rezoning bylaw:

- Completion of a servicing agreement with the City (as per Bylaw No. 1970) which will specify duties and obligations respecting the provision of sewer, water, roads, drainage, stormwater management, fire protection, electrical and performance securities to ensure that servicing infrastructure is adequately installed and maintained (the proponent is required to prepare a draft servicing agreement for consideration and acceptance by the City);
- Landscaping and screening to mitigate impacts on adjacent development and the wetlands including bonding/security to ensure that the landscaping is undertaken and maintained to a specified standard;
- Precise delineation of the ecological reserve and development setback, confirmed by survey and a qualified environmental professional;
- Payment of Development Cost Charges (DCCs) at the time of building permit application, as per City bylaws;
- Latecomer or related agreements proposed by the applicant must be acceptable to the City.
- The most northerly lot 18 is designated in the Official Community Plan as being within the Environmentally Sensitive Development Permit Area and therefore requires a development permit (see below);
- Prior to building permits being issued for the site, the three existing parcels must be consolidated into one.

Development Permit Required

Lot 18 (the northernmost lot) is located within the Environmentally Sensitive Development Permit Area due to the presence of a natural wetland along the northwest property line. Accordingly, before any development takes place on this property, a development permit must be obtained to ensure that there are no negative environmental impacts. A development permit application will be submitted by the applicant for review and will be considered by Council under a separate corporate report.

Timing

Once this zoning bylaw amendment receives third reading, the next steps and estimated time frame are outlined below:

Activity	Timing
<i>First and second reading of the rezoning bylaw.</i>	<i>January 28, 2019</i>
<i>Public Hearing advertised twice and residents within 30 metres notified in writing of the application.</i>	<i>January 30 & February 6th, 2019</i>
<i>Public Hearing held by City Council.</i>	<i>February 11, 2019</i>
Third reading of the rezoning bylaw.	February 25, 2019
Servicing agreement finalized; MOTI approval; development permit reviewed.	February/March, 2019
Final reading of the bylaw and Development Permit (Environmental) considered for approval.	March, April
Site servicing; building permit applications reviewed and issued.	April, 2019, ongoing

Benefits or Impacts

General

This bylaw enacts a zoning provision to accommodate comprehensively designed, site specific developments in the City that involve sensitive ecosystem protection, contain unique elements of benefit to the community or deliver affordable and innovative housing.

Strategic Impact



Community Engagement

- The public was advised and invited to comment on the rezoning application in writing and through advertisements in the Gazette. A public hearing was held to allow Council to hear any comments or concerns respecting the proposal.



Community Livability

- The project would contribute much needed housing to the City and offer an alternative to regular rental or fee simple ownership.



Economic Growth

- An alternative housing type may make it easier and more affordable for the local work force to relocate to or remain in Grand Forks. Once a municipal sewer/water line is brought to this site, fronting land owners may be able to utilize the servicing which may induce new developments in the area.



Fiscal Responsibility

- Preparation of all servicing and development agreements, engineering designs and legal costs, as well as all on and off-site servicing costs, will be borne by the developer thereby not burdening the existing taxpayers.

Policy/Legislation

The Official Community Plan, Zoning Bylaw, Local Government Act and the Subdivision, Development and Servicing Bylaw No. 1970, 2014.

Attachments

Bylaw No. 2039-A2

Recommendation

THAT Council give third reading to Zoning Bylaw Amendment No. 2039-A2 and not proceed to final reading until the servicing agreement, development permit and all other identified issues are resolved to the satisfaction of the City.

Options

1. THAT Council accepts the report and gives third reading to Bylaw No. 2039-A2.
2. THAT Council does not accept the report or undertake the bylaw reading.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	2019-02-25-ZA1803-Bylaw_2039-A2-RFD_3rd_Reading.docx
Attachments:	- Final Bylaw 2039-A2 CD 1 Zone Mobile Home Park Boundary Drive.pdf
Final Approval Date:	Feb 20, 2019

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

Diane Heinrich - Feb 20, 2019 - 2:23 PM