

Request for Decision



To: Committee of the Whole

From: **Development, Engineering & Planning**

Date: April 8, 2019

Subject: Proposed Subdivision, Rezoning and Consolidation of approximately 0.5 hectares for parking lot expansion to relieve traffic congestion and alleviate safety concerns at John A. Hutton Elementary School (File: ZA1903).

Recommendation: **THAT the Committee of the Whole recommends to Council to give first and second readings to Zoning Bylaw Amendment No. 2039-A5 and instructs staff to schedule a public hearing and proceed with the legislative requirements to complete the subdivision/rezoning/consolidation process and refers the matter to the April 8, 2019, Regular Meeting.**

Summary

The City received an application to subdivide and rezone 0.5 hectares (ha) for parking lot expansion to relieve congestion and alleviate safety concerns at John A. Hutton Elementary School.

At the July 17, 2017 council meeting the following resolution was passed by council:

THAT Council supports the application for subdivision of Lot 2, District Lot 520, Plan KAP5090 Land District 54, except Plan 5210, 8653, 11971, 12795, 13376, 19535, 21583, 23494 and 38138, and excluding portions outlined red on Plans B7375 and E10098, located north of 75th Avenue at 25th Street, and direct staff to complete the Local Government Report to Agricultural Land Commission.

On June 6, 2018, ABH Tire Ltd., Inc. No BC0260429 and the Board of Education of School District 51 received approval of their joint submission to the Agricultural Land Commission (ALC) for a lot line boundary adjustment and non-farm use within the Agricultural Land Reserve (ALR). The approval (Resolution #172/2018) from the ALC is subject to several conditions.

The proposal submitted to the ALC is to subdivide 0.5 ha from a 13.4 ha parcel (**Property 1** - farm land) and consolidate the 0.5 ha parcel with the 2.4 ha parcel (**Property 2** – John A. Hutton Elementary School) to permit the construction of additional parking for John A. Hutton Elementary School. This follows a 2004 ALC conditional approval (Resolution #600/2004) of a right-of-way for a bus loop on property 1 that was not executed because it was found to be cost prohibitive.

The current zoning for property 1 is R4A - Rural Residential 4A. The current zoning for property 2 is CU – Community Use.

A rezoning is required because education buildings are not permitted in the R4A zone. Educational buildings permitted use in the CU zone. Section 56.3 of Zoning Bylaw 2039 permits buildings and structures accessory to the uses permitted in the CU zone. The proposed parking lot is an accessory structure.

Background

The City received an application to subdivide and rezone 0.5 hectares (ha) for parking lot expansion to relieve congestion and alleviate safety concerns at John A. Hutton Elementary School.

The properties (see appendix A pages 5 – 6) are located within the ALR. The reconfigured properties will remain in the ALR.

In 2004, a right-of-way to accommodate a bus loop for John A. Hutton Elementary School was conditionally approved (Resolution #600/2004) by the ALC however the bus loop was not constructed because it was cost prohibitive to do so.

In 2018, ABH Tire Ltd., Inc. No BC0260429 and the Board of Education of School District 51 applied for and received approval of their joint submission to the ALC for a lot line boundary adjustment and non-farm use within the ALR. The approval (Resolution #172/2018) from the ALC is subject to several conditions (See Appendix B page 6).

Properties

Property 1

Parcel Identifier: 007-247-095

Legal Description:

Lot 2, District Lot 520, Similkameen Division, Yale District, District Plan 5090,

Except:

1. Plan 5210, 8653, 11971, 12975, 13376, 19535, 21583, 23494, and 38138
2. Parts Outlined in Red on Plans B7375 and E10098.

Area:13.4 ha

Civic Address:

Owner: ABH Tire Ltd.

Property 2

Parcel Identifier: 009-241-051

Legal Description:

Lot A, District Lot 520, Similkameen Division, Yale District, Plan 13376
Area: 2.4 ha
Civic Address: 2575 75th Ave
Owner: John A. Hutton Elementary School

Policy and Zoning Framework

Property 1 is zoned R4A. Property 2 is zoned CU.

The future land use for Property 1 as shown in the Official Community Plan (OCP) is Agriculture/Rural (AR). The future land use for Property 2 as shown in the OCP is Institutional (IN).

One of the guiding principles in the OCP is to ensure safety for all. This is inline with the OCP principle to improve mobility by creating more opportunity for safe and convenient movement around the City by foot and cycle, and eventually by transit. This, when incorporated into working toward a reduced reliance on the automobile over time, moves the City toward its goal of becoming more sustainable.

Neither property 1 nor property 2 are in a development permit area.

The major road fronting John A. Hutton Elementary School, 75th Avenue, is shown as a proposed non-motorized trail in the OCP bicycle network plan.

A rezoning is required because education buildings are not permitted in the R4A zone. Educational buildings is a permitted use in the CU zone. Section 56.3 of Zoning Bylaw 2039 permits buildings and structures accessory to the uses permitted in the CU zone.

The DC Dean Associates Inc. parking and traffic study outlining the requirements for additional parking and improved traffic flow is attached as Appendix C. Amongst other things, the author of the study identified numerous examples of parents making unsafe movements. These unsafe movements included U-turns, driving on the wrong side of the road, picking up in the middle of road, and inappropriate parking choices. Actions, the report author suggests, are likely influenced by the lack of proper facilities and formalized areas of road user space.

Servicing and Infrastructure

The applicant will be required to enter into a Works and Services Agreement with the City. The Works and Services Agreement will be finalized prior to final reading of the rezoning bylaw. Components of the Works and Services Agreement include but are not limited to:

1. The subdivided parcel from Property 1 is to be consolidated with Property 2.
2. Plans, prepared by a qualified professional, are to be submitted to the City for approval. The plans shall show appropriate infrastructure to ensure that pre-

- development storm flows from the site are equal to post-development storm flows from the site.
3. Street, sidewalk, street lighting, fire protection, electrical and other improvements as identified in the traffic and parking study and the city's subdivision servicing and any other applicable bylaws.
 4. Landscaping, screening and fencing to improve safety and to mitigate impacts on adjacent development.
 5. Payment of Development Cost Charges if required.

Proposed Timing

If the rezoning application receives support from Council to move forward, the next steps and estimated time frame are as outlined below:

ACTIVITY	TIMING
Committee of the Whole recommends that the application / bylaw move forward to the regular meeting for 1 st and 2 nd readings.	April 8, 2019
The rezoning bylaw goes before council for 1 st and 2 nd readings.	April 8, 2019
Bylaw and Public Hearing advertised twice and residents within 30m notified in writing of the application.	April/May, 2019
Public Hearing held by City Council.	April/May, 2019
Third reading of the rezoning bylaw	April/May, 2019
Works and Services Agreement finalized; Ministry of Transportation and Infrastructure Approval	April/May, 2019
Fourth (final) reading of the bylaw	May/June, 2019
Site Servicing completed	May/June, 2019

Benefits or Impacts

General

As outlined above the OCP generally supports the proposed subdivision, rezoning and consolidation of 0.5 hectares (ha) for parking lot expansion to relieve congestion and alleviate safety concerns at John A. Hutton Elementary School.

Strategic Impact



Community Engagement

- The public will be advised and invited to comment on the rezoning application in writing and through advertising in the local newspaper, the Grand Forks Gazette.
- Council will have an opportunity to hear any comments or concerns regarding the proposal.



Community Livability

- The parking lot expansion to relieve congestion and alleviate safety concerns at John A. Hutton Elementary School may encourage increased pedestrian traffic and reduced use of automobiles.

Policy/Legislation

The Official Community Plan, Zoning Bylaw, Local Government Act, Planning and Process and Fee Bylaw, Agricultural Land commission Act.

Attachments

- Appendix A Applicant and Site Information (7 Pages)
Appendix B Agricultural Land Commission Decision - ALC File: 56485 (7 Pages)
Appendix C DC Dean Associates Inc. - Traffic and Parking Study (6 Pages)
Appendix D Draft Bylaw No. 2039-A5 (2 Pages)
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Recommendation

THAT the Committee of the Whole recommends to Council to give first and second readings to Zoning Bylaw Amendment No. 2039-A5 and instructs staff to schedule a public hearing and proceed with the legislative requirements to complete the subdivision/rezoning/consolidation process and refers the matter to the April 8, 2019, Regular Meeting.

Options

1. THAT Committee of the Whole accepts the report.
2. THAT Committee of the Whole does not accept the report.
3. THAT Committee of the Whole refers the matter back to staff for further information.