

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: May 6, 2019

Subject: Proposed Subdivision, Rezoning and Consideration 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 Council give third reading to Zoning Bylaw Amendment No. 2039-A5.**

Summary

In early 2017, the City received a request to support an application to the Agricultural Land Commission (ALC) 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 application was submitted to the ALC by the owners of the two properties required for the development to occur: ABH Tire Ltd., Inc. No BC0260429 and the Board of Education of School District 51.

The proposal submitted to the ALC by the applicants was 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.

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 “educational buildings” are not permitted in the R4A zone. “Educational buildings” are permitted 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.

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

Background

At the July 17, 2017 regular meeting, Council supported the application and directed staff to complete the Local Government Report and submit to the Agricultural Land Commission.

On June 6, 2018, the applicants 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) (Appendix B).

At the April 8, 2019 regular meeting, Council gave first and second readings for the Zoning Bylaw amendment and instructed staff to schedule a public hearing and proceed with the legislative requirements to complete the subdivision/rezoning/consolidation process required for the development to proceed.

One of the conditions required by the ALC was a traffic and parking study. 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.

Properties

Property 1

Parcel Identifier: 007-247-095

Legal Description:

Lot 2, Plan KAP5090, District Lot 520, Similkameen Division Yale District, Except:

1. Plan 5210, 8653, 11971, 12795, 13376, 19535, 21583, 23494, and 38138
2. Parts Outlined in Red on Plans B7375 and E10098.

Area: 13.4 ha

Civic Address: 2393 75th Ave

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

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

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.

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

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

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 may include but are not limited to required infrastructure, landscaping, screening, fencing and fees and charges as required.

Proposed Timing

If the rezoning application moves 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 21 st & May 1 st , 2019
Public Hearing held by City Council.	May 6 th , 2019
Third reading of the rezoning bylaw	May 6th, 2019
Works and Services Agreement finalized; Ministry of Transportation and Infrastructure Approval	April/May, 2019
Fourth (final) reading of the bylaw	May 21st, 2019
Site Servicing completed	May 21st, 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 Procedures and Fees 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)

Recommendation

THAT Council give third reading to Zoning Bylaw Amendment No. 2039-A5.

Options

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

Report Approval Details

Document Title:	2019-05-06-ZA1903-2575-75th_Ave-SubRezone_D.docx
Attachments:	<ul style="list-style-type: none">- 2019-04-08-ZA1903-Appendix_A-ApplicantSite_Red_Redacted.pdf- 2019-04-08-ZA1903-Appendix_B-ALC56485.pdf- 2019-04-08-ZA1903-Appendix_C-DCDeanAss_Traffic_Parking_Study.pdf- 2019-04-08-ZA1903-Appendix_D_DRAFT_Bylaw_2039-A5_Rezoning.pdf
Final Approval Date:	Apr 29, 2019

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

Dolores Sheets - Apr 25, 2019 - 4:01 PM

Diane Heinrich - Apr 29, 2019 - 3:25 PM