

Request for Decision



To: Regular Meeting

From: **Development, Engineering and Planning**

Date: January 28, 2019

Subject: First and Second 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 first and second reading to Zoning Bylaw Amendment No. 2039-A2.**

Background

Overview

At the Committee of the Whole meeting on January 14, 2019 (see Agenda item No. 8.c.), Council recommended that first and second reading be given to Zoning Bylaw Amendment No. 2039-A2 which would rezone 1.2 hectares (3 acres) from R1 – Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone). This rezoning would accommodate a 25-unit mobile home park and ecological reserve at the northerly extent of Boundary Drive (see proposed bylaw attached).

Once the rezoning bylaw receives first and second reading, Council must hold a Public Hearing to receive community input prior to adopting the bylaw. Notice of the Public Hearing is advertised for two consecutive weeks in the Gazette and sent to all owner/occupants within 30 metres of the site. The Public Hearing is tentatively scheduled for February 11, 2019 (6pm).

Application Details

Details about the applicant and the site are as follows:

Applicant/Owner: Vadim Kobasew, PO Box 779, Osoyoos, BC V0H 1V0

Agent: Orchard Lane Properties Inc., PO Box 779, Osoyoos, BC V0H 1V (250-490-7959)

Civic Address: 7900/8000 Block of Boundary Drive (including 8051 Boundary Drive)

Legal Descriptions (three lots to be consolidated):

Lot 16, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-136 (1 acre).

Lot 17, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-152 (1 acre).

Lot 18, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-217 (1 acre).

Current Zoning: R1 (Residential – Single and Two-Family) Zone.

Proposed Zoning: Comprehensive Development (“CD”) Zone 1 which generally includes a) specific regulations regarding setbacks, fencing, landscaping and size of mobile home spaces; b) site layout and development tied to site specific plans contained in the bylaw; and, c) designation of an ecological reserve area to protect the existing wetland and ensure adequate building setbacks from it.

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 and execution of a Works and Services 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;
- Consolidation of the three parcels into one and submission of a survey of the wetland as endorsed by a qualified environmental professional;
- 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;
- Payment of Development Cost Charges (DCCs) as per City bylaws. *(Note: The applicant is requesting that DCCs be waived for the smaller mobile homes. DCCs are payable at the time of building permit for each dwelling unit and requests to waive DCCs must be made on a case by case basis. DCCs must be paid by the land owner/developer and not be passed on to the owners of the mobile homes);* and
- City acceptance of any latecomer or related agreements proposed as per the Local Government Act or Community Charter.

Timing

If the rezoning application receives first and second reading, the next steps and estimated time frame are outlined below:

Activity	Timing
First and second reading of the rezoning bylaw.	January 28, 2019
Public Hearing advertised twice and residents within 30 metres notified in writing of the application.	January 30 & February 6 th , 2019
Public Hearing held by City Council.	February 11, 2019
Third reading of the rezoning bylaw.	February 11, 2019 (subject to results of Public Hearing)
Works and services agreements finalized; MOTI approval; development permit reviewed.	February/March, 2019
Final reading of the bylaw and Development Permit (Environmental) considered for approval.	March 11 or 25 th , 2019

Activity	Timing
Site servicing; building permit applications reviewed and issued.	April, 2019

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



Community Livability

- The project would contribute much needed affordable 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.

Policy/Legislation

The Official Community Plan, Zoning Bylaw, Local Government Act and the Planning Process and Fees Bylaw.

Attachments

Bylaw No. 2039-A2

Recommendation

THAT Council give first and second reading to Zoning Bylaw Amendment No. 2039-A2.

Options

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

Report Approval Details

Document Title:	2019-01-28-ZA1803-North_Boundary_Drive_Mobile_Home_Park.docx
Attachments:	- Bylaw 2039-A2 CD1 Zone Final 2019-01-28.pdf
Final Approval Date:	Jan 17, 2019

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

Dolores Sheets - Jan 17, 2019 - 3:59 PM

Diane Heinrich - Jan 17, 2019 - 4:13 PM

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

**Comprehensive Development Zone (CD-1)
Ecological Reserve and 25-unit Mobile Home Park
North Boundary Drive**

THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A2

**A Bylaw to Amend the City of Grand Forks
Zoning Bylaw No. 2039, 2018.**

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The Corporation of the City of Grand Forks **ENACTS** as follows:

1. This bylaw may be cited for all purposes as **“Zoning Bylaw Amendment No. 2039-A2, 2019”**.
2. Amend Bylaw No. 2039 as follows:
 - a. **INSERT** under Part VI Zones after Section 58, a Section 59 CD (Comprehensive Development) Zones; and CD-1 (Comprehensive Development 1) Zone (Boundary Drive North Mobile Home Park):

“59 CD (Comprehensive Development) Zones

59.1 Comprehensive Development Zones are intended to accommodate and regulate the development of a use or mixture of uses based on a comprehensive plan. They are typically created for reasons such as:

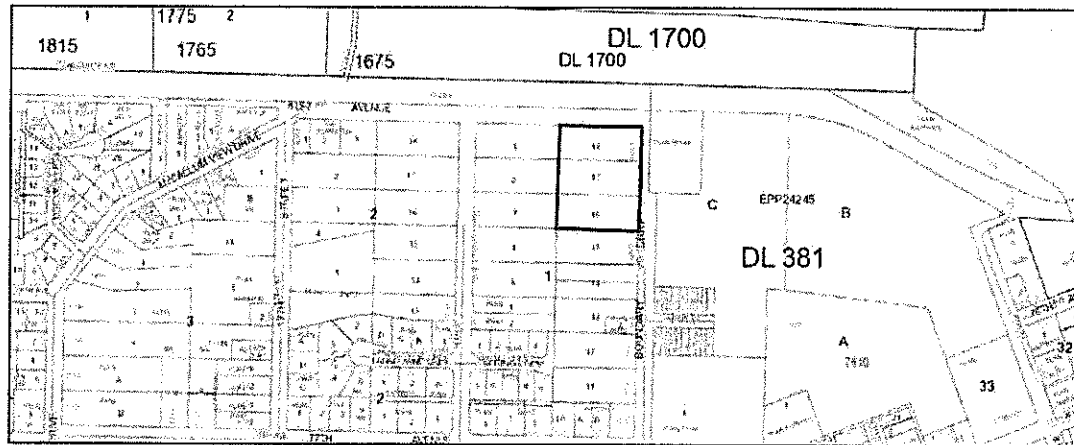
- a) sensitive ecosystem protection;
- b) to ensure specific design and permitted use provisions;
- c) to accommodate affordable or innovative housing; and/or
- d) to encourage development with unique elements of benefit to the community.

59.2 Parts 1 to 11 apply to the Comprehensive Development Zones except where there is an inconsistency with a specific regulation in Part 59, in which case the specific regulation in Part 59 applies.

59.3 CD-1 (Comprehensive Development 1) Zone (North Boundary Drive Mobile Home Park)

59.3.1 Every subsection in Section 59.3 refers to the CD-1 (Comprehensive Development 1) Zone.

59.3.2 **Location:** This CD-1 zone applies to approximately 1.2 hectares (3 acres) located on the west side of the most northerly extent of Boundary Drive as shown on the map below.



59.3.3 **Intent:** The intent of this zone is to allow for the development of a maximum 25-unit mobile home park, to ensure protection of an ecologically sensitive area in perpetuity, and to accommodate innovative, affordable home ownership and rental options in the City.

59.3.4 **Development Areas:** This CD Zone is divided into two areas as shown in Schedule A-I appended to this bylaw:

Area	Land Use
Area 1	Ecological reserve, conservation area, no build area.
Area 2	Comprehensively designed mobile home park.

59.3.5 Within the CD-1 Zone, the lands shall be developed for a comprehensively designed 25-unit mobile home park and a protected ecological reserve in accordance with the plans and drawings in Schedules A-2, A-3 and A-4 appended to this bylaw.

59.3.6 The following uses and no others are permitted in Area 1:
(a) ecological reserve.

59.3.7 The following uses and no others are permitted in Area 2:
(a) one single-family dwelling;
(c) mobile home park;
(d) recreation facilities;
(e) laundry facilities; and
(f) home occupations.

59.3.8 No buildings or structures shall be located within 15 metres of the edge of the wetland or ecological reserve identified in Schedule A-1.

59.3.9 Permitted accessory uses and buildings include buildings or structures accessory to any of the uses permitted in Area 1 and 2 of this zone.

- 59.3.10 The minimum parcel size for subdivision purposes is 0.5 hectares.
- 59.3.11 The maximum permitted lot area coverage for all buildings and structures shall be 60%.
- 59.3.12 No principal building or structure shall exceed 7.5 metres in height.
- 59.3.13 The minimum size for a mobile home or single-family dwelling shall be 30 square metres.
- 59.3.14 The minimum size of a regular (double-wide) mobile home space shall be 325 square metres and the minimum size of a small (single-wide) mobile home space shall be 228 square metres.
- 59.3.15 Off-street parking shall be provided in accordance with the Grand Forks Zoning Bylaw as amended.
- 59.3.16 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (a) 3 metres of the front parcel line on Boundary Drive, except for mobile home spaces No. 1, 2 and 16 shown on the concept plan in Schedule II, where no building or structure shall be located within 4.6 metres of the front parcel line on Boundary Drive;
 - (b) 1.5 metres of a side parcel line; or
 - (c) 3 metres of a rear parcel line or exterior side parcel line.
- 59.3.17 On each mobile home space only 1 detached storage shed or accessory building not exceeding 13 square metres in size, may be located, subject to the following regulations:
- (a) that such storage shed or accessory building be constructed and finished so that the design, construction and finish will complement and blend in with the mobile home;
 - (b) that the height of the storage shed or accessory building not exceed the height of the principle dwelling (mobile home); and,
 - (c) that such storage shed or accessory building be located to the side or rear of the mobile home and placed not closer than 1 metre to the mobile home.
- 59.3.18 A fence of not less than 1.8 metre high, a continuous vegetative landscape screen not less than 1.8 metres high, or a combination of both shall be located around the perimeter of the site.
- 59.3.19 The mobile home park shall be landscaped in accordance with the landscape concept plan as shown in Schedule A-3 appended to this bylaw."

3. Incorporation

Schedule "A-1", "A-2", "A-3" and "A-4" are hereby made part of Bylaw No. 2039.

Read a **FIRST** time this 28th day of January, 2019.

Read a **SECOND** time this 28th day of January, 2019.

Read a **THIRD** time this 25th day of February, 2019.

APPROVED by the Ministry of Transportation and Infrastructure this 14 day of May, 2019.

Chantance Finkel May 14/19

FINALLY ADOPTED this day of , 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true copy of Bylaw No. 2039-A2 as passed by the Council
of the City of Grand Forks on the day of , 2019.

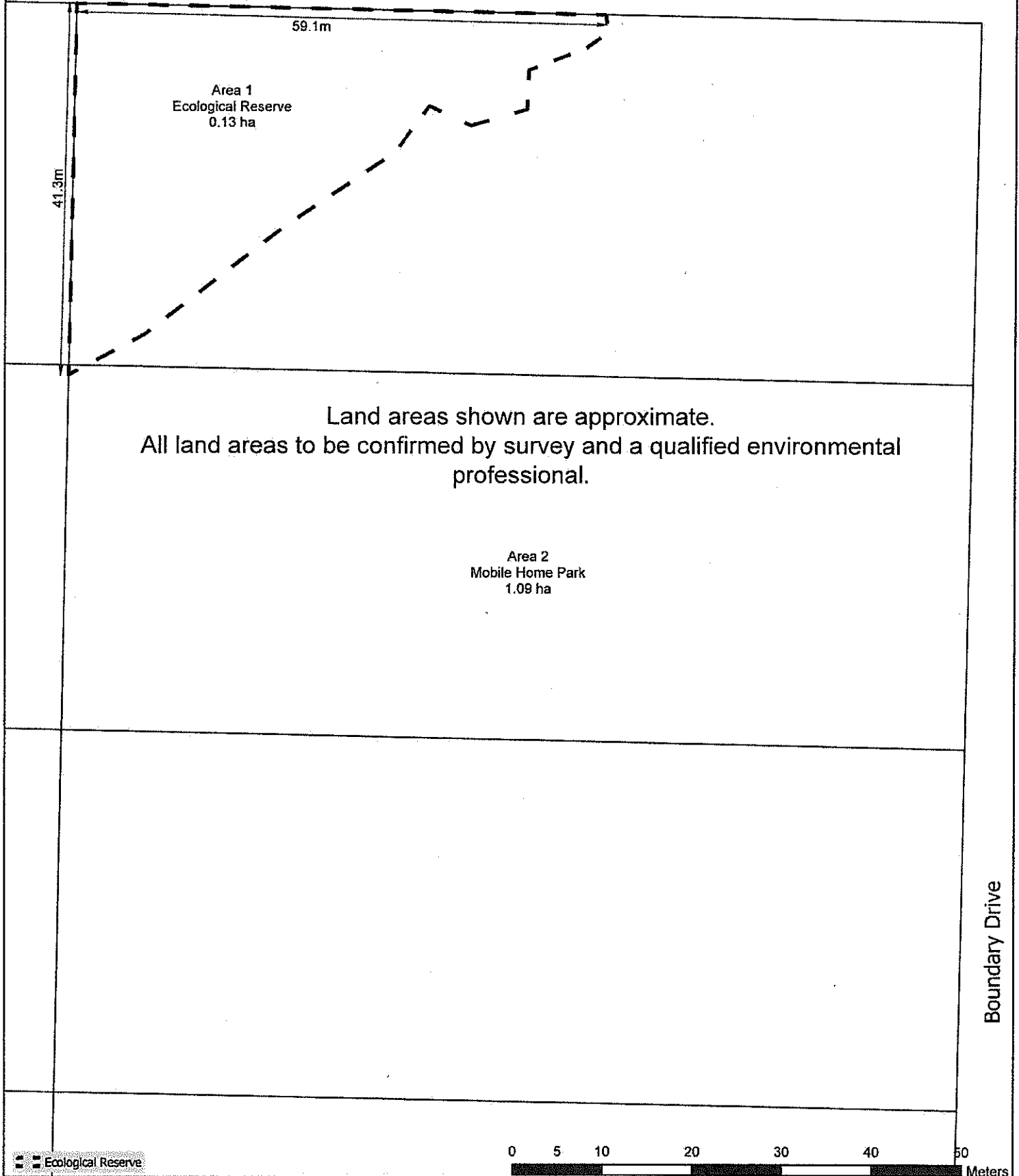
Corporate Officer of the Corporation of the
City of Grand Forks



City of Grand Forks

Schedule "A-1" - Development Areas

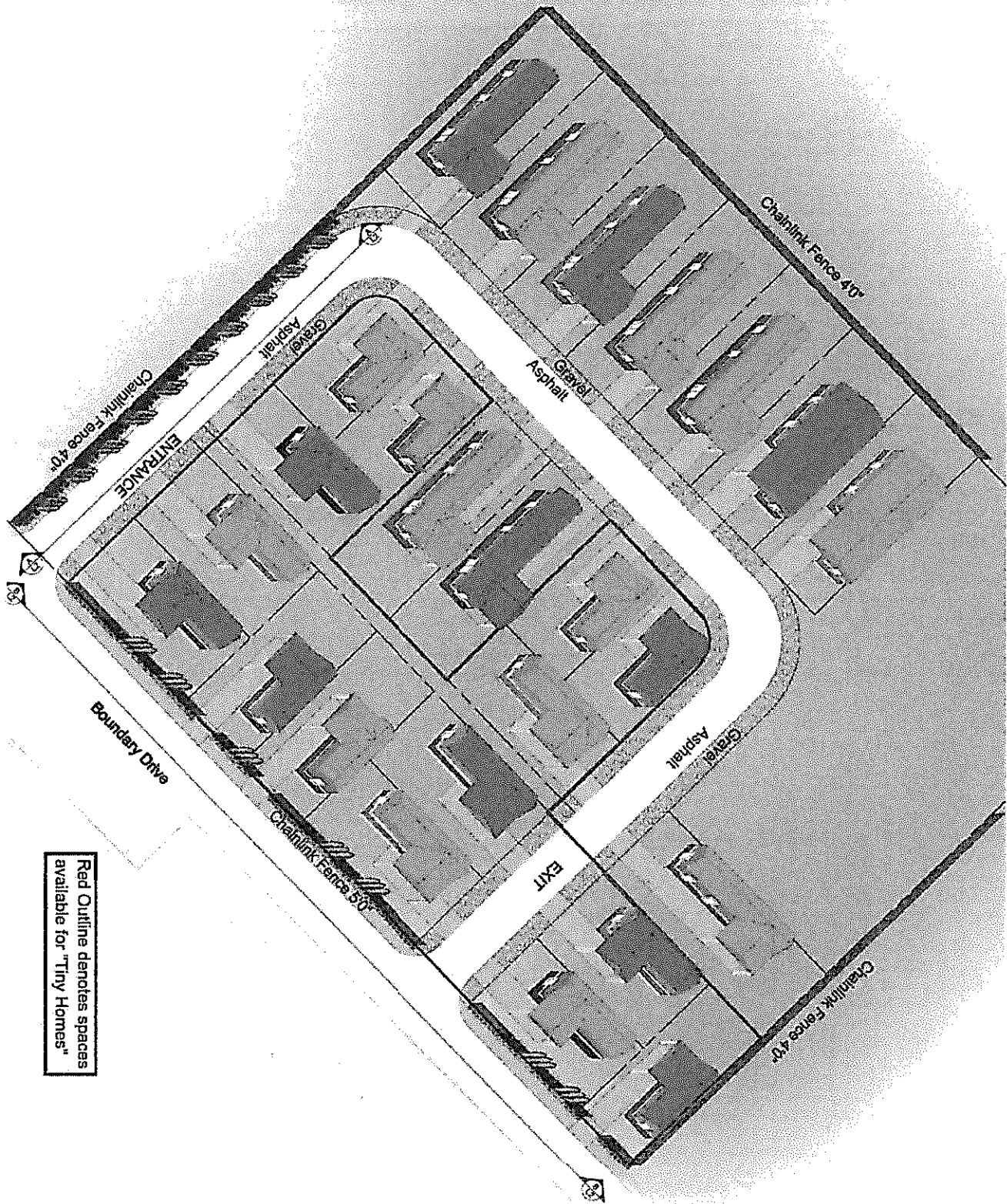
Comprehensive Development Zone 1 - Conservation Development Areas



December 19, 2018
Map Produced By: Rosemary Dykhuizen

The City of Grand Forks makes every effort to ensure that this map is free of errors but cannot guarantee accuracy or fitness for any purpose, and does not provide warranty of any kind. The City accepts no liability for any expenses, losses, damages or costs relating to the use of this map or data. Data must not be used for direct marketing or be used in the breach of the privacy laws. This map must not be used for direct marketing or be used in the breach of privacy laws, it is intended only for the requested use. The data must not be circulated or copied without prior consent of the City of Grand Forks.

Schedule "A-2" - Concept Plan



Red Outline denotes spaces available for "Tiny Homes"

11

DATE: DEC 2018
DRAWN BY: AG
DESIGN BY: AG
SCALE: 1/8" = 1' 0"



REVISIONS	
DATE	DESCRIPTION

CONCEPT LAYOUT

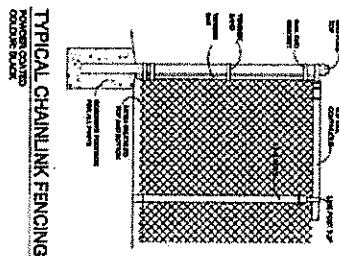
Lone Pine Manufactured Home Park, Grand Forks BC
2018



Schedule "A-3" - Landscape Plan

PLANT LIST

Scientific Name	Common Name	Spacing (HxS)	Size	Hardy Zone
<i>Aronia melanocarpa</i> 'Low Scape Mound'	Low Scape Mound Chokeberry	2'x2'	2 gal.	3-9
<i>Juniperus virginiana</i> 'Blue Arrow'	Blue Arrow Juniper	15'x3'	2 gal.	4-9
<i>Pinus mugo</i> 'Columnalis'	Column Mugo Pine	7.5'x3'	2 gal.	2-7



TYPICAL CHAINLINK FENCING
WOODEN CAP
CHAINLINK
POST
RAIL
WOODEN CAP

Southern Border



Boundary Drive



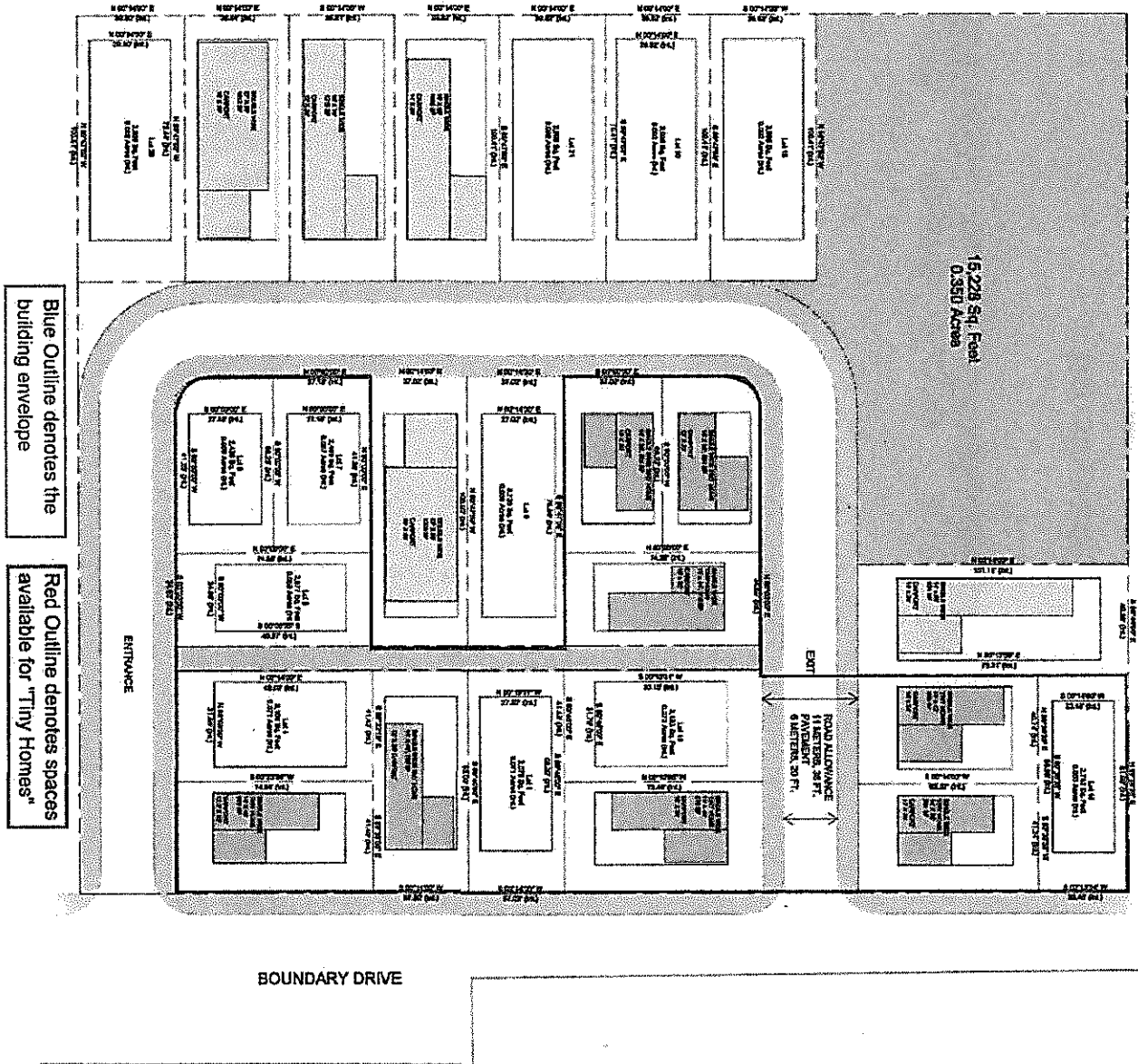
LANDSCAPE PLAN
SOUTHERN BORDER & BOUNDARY DRIVE
Lone Pine Manufactured Home Park, Grand Forks BC
2018

L2

DATE: DEC 2018
DRAWN BY: AC
DESIGN BY: AC
SCALE: 1/8"

REVISIONS	DATE	BY	DESCRIPTION
1		AC	Initial Design
2		AC	Revised Design
3		AC	Final Design

Schedule "A-4" - Site Plan



L3

DATE: DEC 2018
DRAWN BY: AC
DESIGN BY: AK
SCALE: 1/8" = 1'-0"



REVISIONS	DATE	BY
1	12/18/18	AC
2	12/18/18	AC
3	12/18/18	AC
4	12/18/18	AC
5	12/18/18	AC
6	12/18/18	AC
7	12/18/18	AC
8	12/18/18	AC
9	12/18/18	AC
10	12/18/18	AC

25 MOBILE HOME SITES
Lone Pine Manufactured Home Park, Grand Forks BC
2018

