

# Request for Decision



To: City Council  
From: **Development, Engineering and Planning**  
Date: 2019-06-24  
Subject: BACKGROUND INFORMATION for Public Hearing on June 24, 2019 (1pm) – Bylaw No. 2039-A4 Proposed Rezoning from R1 to R4 to accommodate agricultural uses on the 7600 Block of 8th Street (File: ZA1902)

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## Background

On June 10, 2019, Council gave first and second reading to Bylaw No. 2039-A4 (see pages 2 – 3 attached for Council's reference).

As per the statutory requirements for public hearings, a notice was advertised twice (June 12<sup>th</sup> and 18<sup>th</sup>) in the Grand Forks Gazette. A notification letter was also sent to the eight property owners within 30 metres of the site. Copies of the newspaper ad and the letter to adjacent residents are attached (see pages 4 – 5).

Background information respecting the proposed rezoning is also attached (see pages 6 – 9).

## Submissions Received

To date, no comments or concerns have been received as a result of the public notification.

## Next Steps

Council will hear comments and receive written submissions at the public hearing and then consider the rezoning bylaw amendment for third reading at the regular council meeting on June 24<sup>th</sup> (7pm). If passed, the bylaw will be transmitted to the Ministry of Transportation and Infrastructure for approval (because the site is within 800 metres of Highway No. 3), and subsequently could be considered for final reading on July 15<sup>th</sup>, 2019.

## Conclusion

The statutory notification requirements for the public hearing respecting Bylaw No. 2039-A4 have been fulfilled. As of June 19, 2019 no comments have been received. After due consideration of any community input received at the public hearing, Council will consider the bylaw for 3<sup>rd</sup> reading at its regular meeting on June 24<sup>th</sup>, 2019.

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## Attachments

Pages 2 - 3: Bylaw No. 2039-A4

Pages 4 - 5: Copy of ad in the Grand Forks Gazette and notification letter

Pages 6 - 9: Background Information (Proposed Rezoning)

THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A4

**A Bylaw to Amend the City of Grand Forks  
Zoning Bylaw No. 2039, 2019.**

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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-A4, 2019**”.
2. Zoning Bylaw No. 2039 is amended as follows:
  - a. The property described as “Lot B, Plan EPP24245, District Lot 381 108 585, Land District 54; PID: 028-956-036” and as shown attached hereto as Appendix “A” is hereby R4 (Rural Residential).
  - b. Schedule “A” to Zoning Bylaw No. 2039, Land Use Zoning Map, is hereby amended accordingly.

Read a **FIRST** time this 10<sup>th</sup> day of June, 2019.

Read a **SECOND** time this 10<sup>th</sup> day of June, 2019.

Read a **THIRD** time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Approved by the Ministry of Transportation

Pursuant to Section 52 of the Transportation Act this \_\_\_\_ day of \_\_\_\_\_, 2019

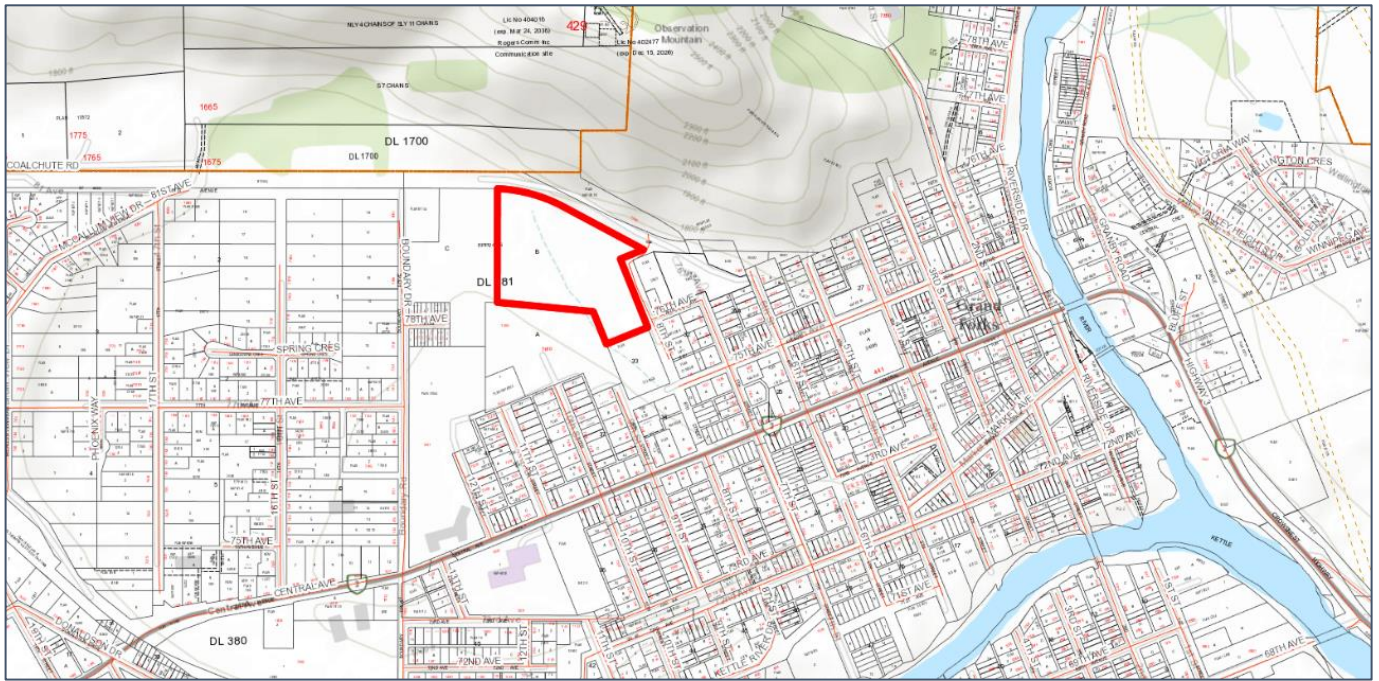
\_\_\_\_\_  
Approving Officer, Ministry of Transportation

**FINALLY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor Brian Taylor

\_\_\_\_\_  
Corporate Officer Daniel Drexler

## Appendix “A” to Bylaw No. 2039-A4



## Copy of Ad in the Grand Forks Gazette and Notification Letter

### THE CORPORATION OF THE CITY OF GRAND FORKS



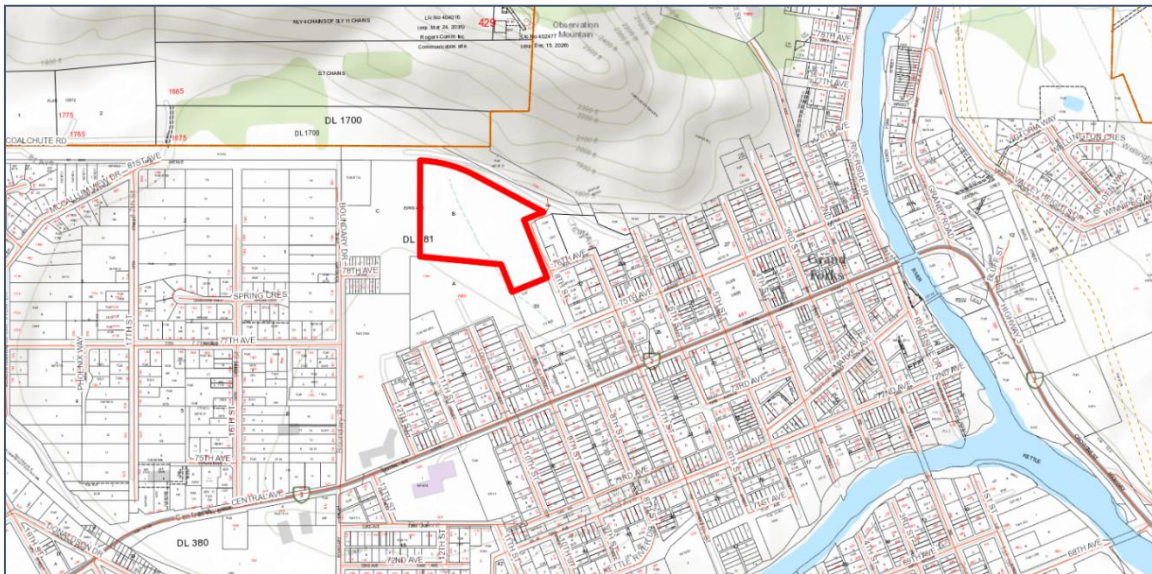
Settle down.

## **NOTICE OF ZONING BYLAW AMENDMENT**

**TAKE NOTICE THAT** pursuant to the Local Government Act, the City of Grand Forks is considering Bylaw No. 2039-A4 to amend the Zoning Bylaw to rezone property on the 7600 Block of 8<sup>th</sup> Street, legally described as Lot B, Plan EPP24245, District Lot 381 108 585, Land District 54; PID: 028-956-036, from the current R-1 (Residential Single and Two-Family) zone to R-4 (Rural Residential) zone, to accommodate agricultural activities and to reflect the current use of the land.

**TAKE FURTHER NOTICE THAT** Council for the City of Grand Forks will hear any public input with respect to the above mentioned proposal at a Public Hearing scheduled for June 24, 2019 at 1:00pm upstairs in Council Chamber of City Hall located at 7217-4<sup>th</sup> Street, Grand Forks, B.C.

**PROPERTY LOCATION:** 7600 Block of 8<sup>th</sup> Street at the base of Observation Mountain



A draft copy of Bylaw No. 2039-A4 may be inspected between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (excluding holidays) until June 24<sup>th</sup>, 2019 at City Hall, 7217 - 4<sup>th</sup> Street, Grand Forks, B.C.





June 11, 2019

Dear Property Owner or Tenant:

**Notice of Proposed Zoning Bylaw Amendment (Rezoning)**

**Property Location:** 7600 Block of 8<sup>th</sup> Street at the base of Observation Mountain  
**Legal Description:** Lot B, Plan EPP24245, District Lot 381 108 585, Land District 54; PID: 028-956-036  
**Applicant:** John and Norma Wheeler

As you are the registered owner or occupier of property located near the property mentioned above, please be advised that Council for the Corporation of the City of Grand Forks will hear public input with respect to the above mentioned proposal at a Public Hearing scheduled for Monday, June 24<sup>th</sup>, 2019 at 1:00 pm, upstairs in the Council Chambers of City Hall, located at 7217 - 4<sup>th</sup> Street, Grand Forks, B.C.

The zoning bylaw amendment proposes to rezone the above mentioned property from R-1 (Residential Single and Two-Family) zone to R-4 (Rural Residential) zone, to accommodate agricultural activities and to reflect the current use of the land.

If you have any comments or concerns regarding this proposed bylaw amendment, please send your written submission to City Hall, email your comments to [wwhelen@grandforks.ca](mailto:wwhelen@grandforks.ca) by Friday June 21<sup>st</sup>, 2019, or contact us by phone at 250-442-8266.

Further information with respect to the proposed zoning bylaw amendment may be obtained at City Hall, 7217 - 4<sup>th</sup> Street from Monday to Friday (excluding weekends and holidays) from 9:00 a.m. to 4:00 p.m. until June 24<sup>th</sup>, 2019.

Yours truly,  
Wendy Whelen

A handwritten signature in blue ink, appearing to read "W. Whelen", with a long, sweeping horizontal line extending to the right.

Development, Engineering and Planning  
City of Grand Forks  
250-442-8266

Attachment: Notice of Zoning Bylaw Amendment No. 2039-A4

## **Background and Proposal Information**

### **Overview**

The City received a zoning bylaw amendment application to rezone 4.65 hectares (11.5 acres) from R1 (Residential – Single & Two Family) to R4 (Rural Residential) to accommodate agricultural buildings and activities and to more accurately reflect the current land use. The applicant wishes to eventually build a barn/shop on the property (which is not allowed under the current R1 zoning).

The site is located at the most northerly extent of 8<sup>th</sup> Street and has been used as a cultivated hay field for many years. See detailed applicant and site information below.

### **Environmental Considerations**

#### **Wetland/Drainage Area**

Most of the site is classified in the Grand Forks Sensitive Ecosystem Inventory (“SEI”) as a “cultivated field, not sensitive”. However, a wetland area (drainage ditch and associated riparian area) traverses the property from north to south and is part of the City’s natural drainage infrastructure.

In keeping with the City’s desire to protect and/or acquire the major components of our interconnected natural drainage and wetland areas, it is proposed that a conservation covenant under Section 219 of the Local Government Act be registered on the property to ensure that the wetland area is protected and formally incorporated into the City’s protected area network.

#### **Groundwater Protection**

The Grand Forks aquifer is considered to be one of the most important aquifers in British Columbia and is the primary source of drinking water for the region. Certain agricultural practices such as fertilizer and pesticide use have the potential to compromise the quality of the groundwater through run-off and seepage (i.e., as is evidenced by water tests in various wells in the City).

While the owners of this property have a record of sound farming practice, and intend to engage in environmentally friendly agricultural activities, it is prudent that groundwater protection measures be specified in a covenant so that future owners/operators are aware of the requirements.

#### **Urban Interface**

This property is located adjacent to established residential areas and the high school. To minimize any land use conflicts between farming and residential, provisions for a minimal buffer area and limits on the keeping of farm animals will be addressed in the covenant.

## Planning Rationale

Given the environmental and servicing constraints on this site, it is unlikely that single family residential development will occur under the existing R1 zoning in the medium term.

A rezoning to R4 will legitimize the agricultural activities that have been present on the site for many years and will allow the new owners of the site to eventually construct agricultural building(s) to enhance the agricultural use of the site.

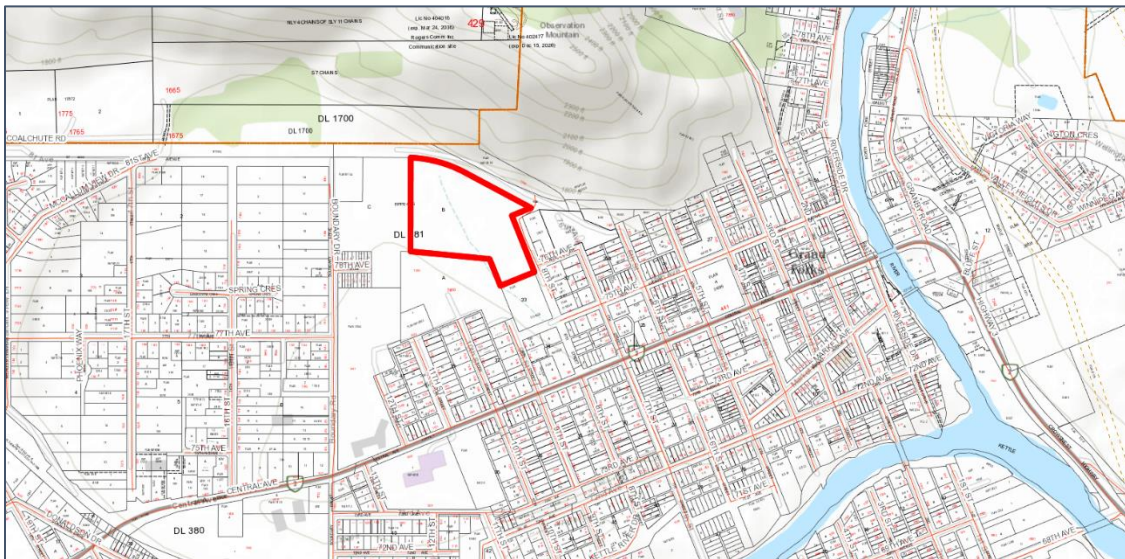
Prior to final reading of the zoning bylaw amendment, a conservation covenant will be finalized to protect the existing drainage course on the property, which will contribute to the City's goal of creating a protected area network of drainage/wetlands throughout the City. The covenant will also address groundwater protection and pesticide/fertilizer use and spraying near the urban interface.

## Applicant and Site Information

**Civic Address:** 7600 Block of 8<sup>th</sup> Street.

**Legal Description:** Lot B, Plan EPP24245, District Lot 381 108 585, Land District 54; PID: 028-956-036.

**Applicant/Owner:** John and Norma Wheeler, PO Box 2042, Grand Forks, BC V0H 1H0.



**Proposal:** To rezone the subject property (4.65 hectares or 11.5 acres) from R1 (Residential – Single & Two Family) to R4 (Rural Residential) to accommodate agricultural activities and to more accurately reflect the current land use. The applicant

wishes to eventually build a barn/shop on the property (which is not allowed under the current R1 zoning).

**Existing Land Use:** Wetland, cultivated field. A drainage area/wetland traverses the property.

**Adjacent Land Uses:** North – established trails and natural area, City-owned public works building and Observation Mountain zoned R4; South – house/outbuildings/small farm zoned R1; East – residential zoned R1 and R3A (Clifton Estates); West – vacant wetlands/hay fields/natural areas zoned R1.

**Access:** Directly off of 8<sup>th</sup> Street (note: this access road is also used by Public Works to get to a storage building and snow storage immediately north east of this site).

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

**Proposed Zoning:** R4 (Rural Residential) Zone.

**OCP Land Use Designation:** Environmental Resource Area (ER).

**Development Permit Area:** Most of the lot is within the Environmentally Sensitive Development Permit Area ("DPA") and a portion of the site may also be in the flood plain. However, as no development is proposed at this time, a development permit is not required.

**Other Policies:** Although the site is located in the Environmentally Sensitive "DPA", most of it is classified in the Sensitive Ecosystem Inventory ("SEI") as a "cultivated field, not sensitive". A wetland area (drainage ditch and associated riparian area) traverses the property from north to south and is part of the City's natural drainage infrastructure.



**Servicing:** There are no water or sewer services and no development is proposed at this time.



### Report Approval Details

Document Title:	2019-06-24 Bylaw 2039-A4 ZA 1902 Public Hearing.docx
Attachments:	
Final Approval Date:	Jun 17, 2019

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

**Dolores Sheets - Jun 14, 2019 - 2:36 PM**

**No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler**

**Diane Heinrich - Jun 17, 2019 - 4:37 PM**