

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: August 12, 2019

Subject: Bylaw No. 2039-A7 Proposed Rezoning from R1 (Single and Two Family Residential) to R2 (Small Lot Residential) 2680 75th Avenue (FILE: ZA1907)

Recommendation: **THAT Council approves the variance request for relaxation of the rear yard setback from 6.0m to 2.72m on proposed Lot 2;**

AND FURTHER THAT Council gives Fourth reading to Zoning Bylaw Amendment Bylaw 2039-A7

Background

On June 24th, 2019, Council gave first and second readings to Bylaw No. 2039-A7 (Appendix "1") which would rezone the property at 2680 75th Avenue from R1 (Single and Two Family Residential) to R2 (Small Lot Residential). Council further approved (in principle) the request for a variance to relax the minimum rear yard setback requirement for one of the proposed new lots.

At the July 15th, 2019 public hearing Council heard comments and concerns from the public. Notice of the public hearing was advertised in the Grand Forks Gazette on July 3rd and 10th, 2019 and notices were sent to eleven neighbouring property owners within 30 metres of the site, advising them of both the public hearing and the proposed development variance permit.

Council gave third reading to the bylaw at the July 15th, 2019 regular meeting.

Because the property is within 800 metres of Highway No. 3 the rezoning bylaw was forwarded to the Ministry of Transportation and Infrastructure (MOTI) for approval/signature on July 18th, 2019.

The proposal is now before Council for fourth reading.

Proposal

The rezoning bylaw and variance will enable the property to be subdivided into three lots to accommodate two duplexes and a single-family home as per the attached preliminary plan of subdivision (Appendix "2").

The applicant and property information is shown attached as Appendix "3."

Under the existing R1 zoning, the property can be subdivided into two lots, each with a minimum area of 697 square metres (0.17 acre). Rezoning to R2 will permit a subdivision into three lots each with a minimum area of 485 square metres (0.12 acre).

Duplexes, single family homes, secondary suites and garden suites are permitted in both the R1 and the R2 zones. The City's Official Community Plan ("OCP") encourages residential densification, infill development and a variety of housing forms in established, serviced residential areas in the City. This proposal fulfils this policy direction in the OCP (see analysis below).

To accommodate a single family home on one of the lots, a development variance permit has been applied for to reduce the rear yard setback from the required 6.0 metres to 2.72 metres (see site layout in Appendix "2"). The side yards on this proposed lot exceed the required minimum setbacks thereby providing adequate yard space and separation from the adjacent future dwellings. Given that all of the residential dwellings will be new construction on newly created lots, the variance will have no impact on adjacent existing properties.

Policy Framework

After an intensive year long OCP/zoning review process, in March 2018, City Council approved a series of OCP policies and zoning bylaw amendments respecting how to accommodate new and additional housing in the City. These new policies were used to evaluate the proposed rezoning as follows:

- 1) *Encourage a wide range of housing styles.*
This proposal encompasses single family dwellings and duplexes, all with full basements (potential for secondary suites).
- 2) *Encourage and support the development of affordable housing for low-income families, individuals, seniors and those with disabilities.*
The new modular homes are considered to be "market affordable" because they will be duplexes on smaller lots.
- 3) *Encourage higher density residential development and increase variety in housing forms within developed areas of Grand Forks.*
This is considered to be a developed area and rezoning to R2 will allow for 3 rather than 2 new lots to be created.
- 4) *Encourage new residential development to respect the scale and character of surrounding residential neighbourhoods.*
The proposed homes are one story high on traditional foundations and regular driveway accesses. This building form blends with the neighbouring homes.
- 5) *Manage the growth of Grand forks within municipal boundaries in a manner which utilizes existing serviced lands and lands that can be serviced within the capacity of existing infrastructure.*
This development will use existing services which have adequate capacity.

- 6) *Enable increased residential density across all residential land uses through incremental development of small dwellings, suites, micro-apartments and tiny houses.*

This rezoning will allow for single family dwellings, duplexes, suites and garden suites.

- 7) *Encourage infill development and redevelopment to minimize the need for services to be expanded.*

The additional residential lots will use existing services.

Next Steps

If Council deems it appropriate to give fourth reading to the bylaw staff will move forward with the subdivision review and approval process.

Conclusion

This zoning bylaw amendment will create the opportunity for subdivision to accommodate at least five new homes which fulfils the OCP mandate to foster infill development and residential densification, and more efficiently utilize existing City services. The property is well located adjacent to a school and close to shopping and recreation. As the site is a corner lot with lane access, adequate on-site parking and convenient access can be accommodated thereby reducing traffic impacts on the neighbourhood.

It is in order that council give fourth reading / adoption to the zoning bylaw amendment.

Benefits or Impacts

General

The proposal fulfils the policy directions in the OCP with respect to infill housing and infrastructure and will add new housing options to Grand Forks' limited housing stock.

Strategic Impact



Community Engagement

- The rezoning proposal, development variance application and public hearing were advertised twice in the local paper and landowners within 30 metres of the proposal were notified. The community had the opportunity to make their views known to Council at the public hearing on July 15th, 2019.



Community Livability

- The rezoning will create much needed, affordable market housing in close proximity to schools, shopping and recreation.



Economic Growth

- This addition to the housing stock in Grand Forks will give residents/workers more affordable options for home ownership.



Fiscal Responsibility

- The rezoning will provide for more efficient and better utilization of existing services and infrastructure in the City.

Policy/Legislation

The Local Government Act, the Official Community Plan, the Zoning Bylaw and the Subdivision, Development and Servicing Bylaw.

Attachments

Appendix "1": Bylaw No. 2039-A7

Appendix "2": Preliminary Plan of Subdivision

Appendix "3": Applicant and Property Information

Recommendation

THAT Council approves the variance request for relaxation of the rear yard setback from 6.0m to 2.72m on proposed Lot 2;

AND FURTHER THAT Council gives Fourth reading to Zoning Bylaw Amendment Bylaw 2039-A7

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.

Appendix “1”

**THE CORPORATION OF THE CITY OF GRAND FORKS
Bylaw No. 2039-A7**

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

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-A7, 2019**”.
2. Zoning Bylaw No. 2039 is amended as follows:
 - a. The property described as “Lot 1, Plan EPP32167, District Lot 520, Similkameen Division of Yale District” and as shown attached hereto as Appendix “A” is hereby zoned R2 (Small Lot Residential 2).
 - b. Schedule “A” to Zoning Bylaw No. 2039, Land Use Zoning Map, is hereby amended accordingly.

Read a **FIRST** time this 24th day of June, 2019.

Read a **SECOND** time this 24th day of June, 2019.

Read a **THIRD** time this 15th day of July, 2019.

Approved by the Ministry of Transportation and Infrastructure
Pursuant to Section 52 of the Transportation Act this day of , 2019.

Approving Officer, Ministry of Transportation and Infrastructure

FINALLY ADOPTED this day of , 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

Appendix "A" to Bylaw No. 2039-A7



Appendix "2": Preliminary Plan of Subdivision

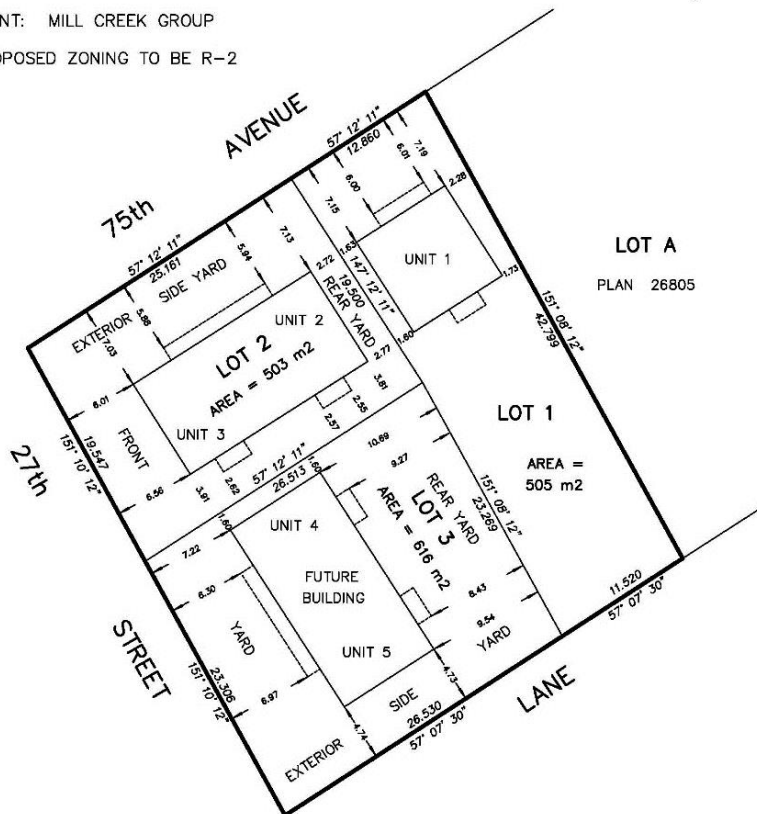
PROPOSED SUBDIVISION PLAN OF
LOT 1, DL 520, SDYD, PLAN EPP32167

PID: 029-148-405
CHARGES: NONE

SCALE 1:300
0 6 12 18 24
ALL DISTANCES SHOWN ARE IN METRES.

VERSION 3
PROPOSED DUPLEX ON THIRD LOT
DATE: APRIL 26/19

CLIENT: MILL CREEK GROUP
PROPOSED ZONING TO BE R-2



NOTES:

FOUNDATIONS FOR UNITS 1, 2, AND 3 HAVE BEEN CONSTRUCTED AND DIMENSIONS SHOWN TO PROPOSED PROPERTY LINES ARE AS CURRENTLY EXIST.

PROPOSED FUTURE BUILDING CONTAINING UNITS 4 & 5 IS A DUPLICATION OF UNITS 2 & 3

EXISTING BUILDING CONTAINING UNITS 2 & 3 (LOT 2) DOES NOT HAVE THE REQUIRED MINIMUM REAR YARD SETBACK DIMENSION, AND A VARIANCE MUST BE APPLIED FOR.

LOT DIMENSIONS ARE DERIVED
FROM LAND TITLE OFFICE RECORDS
PLAN EPP32167

PENDERGRAFT PROFESSIONAL
LAND SURVEYING INC.
BOX 640
OSOYOOS, B.C. ©
VCH 1V0
PHONE: (250) 495-7127
email: brod@pendergrafterveysing.ca
OUR FILE NO. 1122293 PROJ.DWG
DC FILE NO. 1162612

Appendix “3”: Background (Applicant and Property) Information

Civic Address: 2680 75th Avenue

Legal Description: Lot 1, District Lot 520, Similkameen Division, Yale District, Plan EPP32167; Parcel Identifier 029-148-405.

Lot Area: 0.167 hectares (17,437 square feet).

Applicant/Owner: Lakota Holdings Inc.



Access: Corner lot with access from 75th Avenue and 27th Street. The property also has lane access from the south.

Servicing: There are existing water, sewer and electrical services adjacent. A Works and Services Agreement will be required at the time of subdivision.



Report Approval Details

Document Title:	2019-08-12-ZA1907 2680 75th Ave Decision.docx
Attachments:	
Final Approval Date:	Aug 6, 2019

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

Dolores Sheets - Aug 6, 2019 - 10:03 AM

Diane Heinrich - Aug 6, 2019 - 10:49 AM