

To: Electoral Area Services Committee

Date: 2020-02-13

From: Andrea Antifaeff, Planner 1

File No: 3360-25-2019-02

Subject: Zoning amendment application for 11882 Sylvester Road, Electoral Area F to facilitate a two lot subdivision

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* to rezone the property located at 11882 Sylvester Road from Rural Residential 2 (RS-2) to Rural Residential 1 (RS-1) to facilitate a two lot subdivision;

THAT the *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* be forwarded to Public Hearing;

THAT the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* to Director Davidson, or his alternate in his absence;

THAT Director Davidson or his alternate in his absence preside over and Chair the Public Hearing with respect to proposed *Bylaw 1539, 2019*;

AND THAT the Chair of the Public Hearing be authorized to establish procedural rules for the conduct of the Public Hearing with respect to proposed *Bylaw 1539, 2019* in accordance with the *Local Government Act*;

AND FURTHER THAT in the absence of Director Davidson, or his alternate in his absence at the time of Public Hearing with respect to proposed *Bylaw 1539, 2019* the Fraser Valley Regional District Board Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

AND FINALLY THAT the Fraser Valley Regional District authorize its signatories to execute all documents relating to *Bylaw 1539, 2019*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The owners of the property have made an application to rezone the parcel located at 11882 Sylvester Road. The purpose of *Zoning Amendment Bylaw 1539, 2019 (Bylaw 1539)* is to rezone the property from Rural Residential 2 (RS-2) to Rural Residential 1 (RS-1) to facilitate a two lot residential subdivision. The development involves one parcel of approximately 1.7 hectares (4.2 acres) to eventually be subdivided as follows:

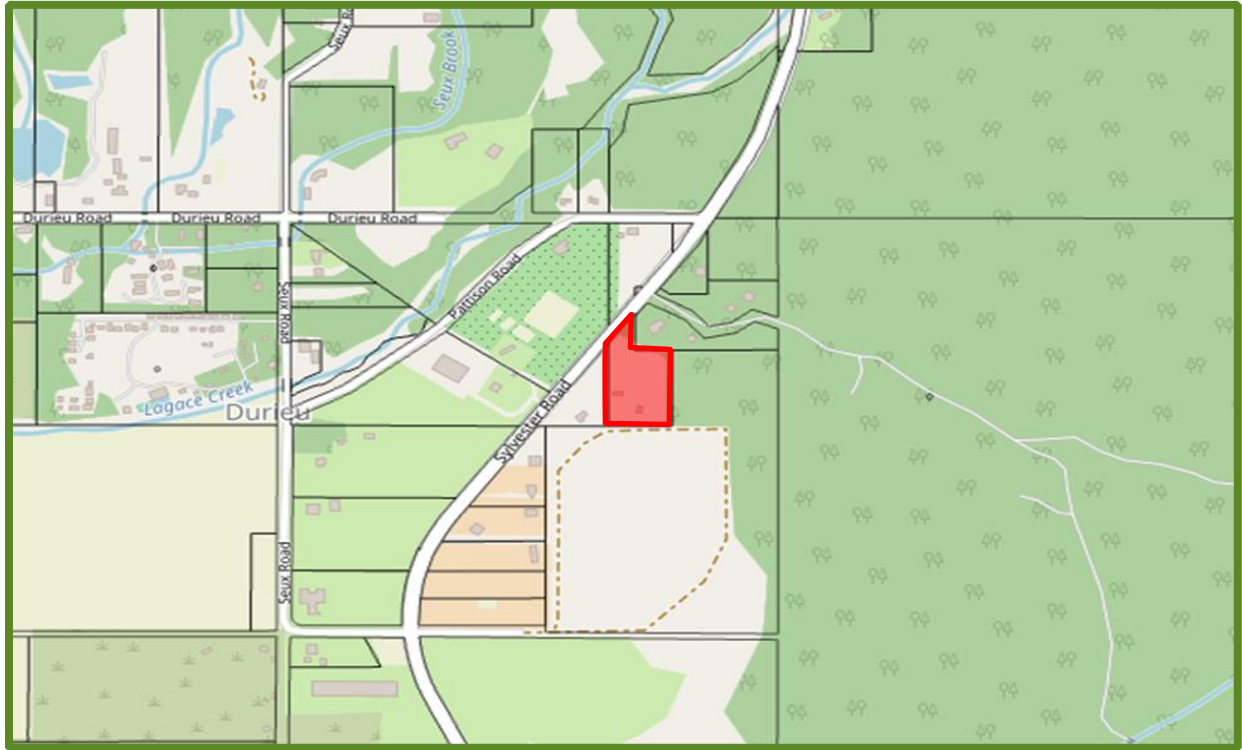
- Lot 1 – 0.667 ha (1.6 acres)
- Lot 2 – 1.03 ha (2.5 acres)

Each lot will accommodate one single family home.

PROPERTY DETAILS			
Electoral Area	F		
Address	11882 Sylvester Rd		
PID	004-475-291		
Folio	775.02268.010		
Lot Size	4.2 acres		
Owner	Jason Dunkley & Michelle Patterson	Agent	n/a
Current Zoning	Rural Residential 2 (RS-2)	Proposed Zoning	Rural Residential 1 (RS-1)
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	No change
Development Permit Areas	1-F (Northern portion only) Geologic & Stream Hazard 2-F Riparian Areas		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Rural Residential 2 (RS-2); Single-family Residence, Agriculture
East	>	Rural Residential 2 (RS-2); Vacant, Forest
West	<	Rural Residential 2 (RS-2); Single-family Residence, Agriculture
South	v	Rural Residential 2 (RS-2); Vacant, Forest

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Zoning Amendment

The subject property is zoned Rural Residential 2 (RS-2) under *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*. The minimum parcel size for parcels to be created by subdivision is 1 hectare. In order for the owners to be eligible to subdivide their 1.7 hectare property, rezoning is required.

The owners have applied to rezone their property from Rural Residential 2 (RS-2) to Rural Residential 1 (RS-1). The RS-1 zone has a minimum parcel size of 0.5 hectares and requires parcels to be serviced by a community water supply system.

Official Community Plan

The subject property is designated Suburban Residential (SR) under *Fraser Valley Regional District Official Community Plan for Hatzic Valley, Electoral Area F, Bylaw No. 0999, 2010*. The minimum parcel size for parcels is 1 hectare or 0.5 hectare with connection to an approved community water system. The owners are proposing to connect both of the proposed lots to an approved community water system, which is consistent with the Official Community Plan designation.

Site Servicing

The owners have submitted a feasibility report to demonstrate septic feasibility for each proposed parcel. Cleartech Consulting Ltd. has provided a feasibility report dated July 3, 2019 which included soil testing and review of site conditions. The report substantiated that both proposed lots are capable of supporting a future onsite septic system for a single family residence.

The Cleartech Consulting Ltd. report identifies specific field locations for each lot (reserve field only for proposed lot 1 as primary field already exists) which are located greater than 30 metres from any watercourse. The siting of the fields is subject to review and change upon filing with the Fraser Health Authority.

Water Supply Concerns

There are concerns from residents in Hatzic Valley regarding the long term water supply of aquifers in the area. The Hatzic Prairie water system is an established water system which draws water from the Hatzic Prairie aquifer. Water lines for this system run along Sylvester Road in front of both proposed lots. Both lots will be required to connect to the water system and will not be on independent water sources (wells).

While it is challenging to fully understand groundwater conditions in the area, it is the view of staff that the newly created lot represents one additional connection to the water system. This additional connection is likely to be low risk because the quantity of water extracted represents a small fraction of

water and would have limited effects on the long term water supply for the area. Staff have no reason to think that the addition of one connection would cause a negative impact on the long term supply of the water system.

However, there is lots that we do not know about groundwater and the cumulative effects of more lots in the future may increase the risk to ground water supply. The Engineering Department is working on a scoping exercise for a study on the Miracle Valley aquifer which would look at those effects.

Development Permit

In advance of bylaw adoption for the zoning amendment, a development permit and covenant to address the following Development Permit Area (DPA) matters is necessary:

A portion of the property is located within Development Permit Area 1-F (Geologic and Stream Hazard) for the protection of the development from hazardous conditions. A site specific geo-hazard assessment report is required to determine the feasibility of the proposed development and confirm if the property is 'safe for the use intended'. The report should also identify safe building sites and any mitigation required to address hazards. The owners have not yet submitted a geo-hazard report.

The property is also located within Development Permit Area 2-F (Riparian Areas) for the protection of the natural environment, its ecosystems and biological diversity. The owners have submitted a Riparian Areas Regulation: Assessment Report by Vitaly Ostroumov of QEP Environmental Ltd. dated July 18, 2019, however, the Qualified Environmental Professional (QEP) must still submit the report to the Province for review and approval before the report can be used for a Development Permit.

The geo-hazard and riparian areas assessment must be submitted before the public hearing is scheduled so that they are available for public review. The geo-hazard report and riparian areas assessment report will form part of the Development Permit and be registered as a covenant to ensure that future subdivision and building activity addresses any siting and design recommendations.

Development Variance Permit – Parcel Frontage

The proposed parcel frontage for proposed Lot '1' does not meet the minimum 10% of the lot perimeter requirement. The owners must obtain a frontage reduction variance to support subdivision. It is recommended that the frontage variance be given consideration after any third reading and prior to consideration of adoption. Both proposed parcels will have adequate frontage and access from Sylvester Road.

Wildfire Assessment

The lands are located in a high interface fire hazard area. New subdivision development in a high interface hazard area is required to be constructed to minimize the risk of fire hazards to people and property. A Wildfire Assessment is required to assess susceptibility to wildfire (from condition on and off site) and detail how to mitigate the hazard. The assessment is to be prepared by a professional forester licensed in BC, specializing in forest wildfire assessment.

Stormwater Management Plan

The owners will be required to submit a stormwater management plan to determine potential impacts to groundwater and implement any report recommendations. A restrictive covenant detailing the stormwater management plan and any mitigation requirements is recommended to be registered on title prior to consideration of bylaw adoption.

Works and Servicing Agreement

Prior to the adoption of the Zoning amendment, a works and servicing agreement must be completed. Before any construction begins the Developer and the Regional District shall enter into a written Works and Services Agreement pursuant to Section 570 of the Local Government Act.

Key Issues Summary

Issue	Information Prepared By:	Stage of Process
Geo-Hazard Assessment	Qualified Professional Engineer	Prior to Public Hearing
Riparian Area Assessment	Qualified Environmental Professional (Provincial Approval Required)	Prior to Public Hearing
Wildfire Assessment	Professional Forester licensed in BC (specializing in forest wildfire assessment)	Prior to Public Hearing
Stormwater Management Plan	Qualified Professional Engineer	Prior to Public Hearing
Development Variance Permit (Parcel Frontage)	Applicant (Professional)	Prior to Consideration of Adoption
Works and Servicing Agreement	Qualified Professional	Prior to Consideration of Adoption
Covenants	Applicant	Prior to Consideration of Adoption
Development Permit	Applicant	Prior to Subdivision

Neighbourhood Notification and Input

If the bylaw receives first reading, all property owners within 150 metres of the property will be notified by the FVRD of the zoning amendment application and the date and time of the public hearing. Members of the public will be given the opportunity to provide written comments or attend the public hearing to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested zoning amendment and requested variance in advance of the mail-out notification. In addition, the applicant has posted a sign on the property to advertise the zoning amendment application.

Public Information Meeting

Following first reading, staff recommends that property owner holds their own public information meeting in the community prior to proceeding to public hearing.

COST

The application fee of \$2,500.00 has been paid by the applicant.

CONCLUSION

The proposed zoning amendment is consistent with the Official Community Plan. Technical feasibility of the subdivision will have to be demonstrated prior to public hearing and second reading. It is recommended that the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* as outlined in the recommendation section of this report in order to proceed with the technical and public review process.

OPTIONS:

Option 1 1st Reading (Staff Recommendation)

Option 2 Refer to EASC

THAT the proposed *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* be referred to the Electoral Area Services Committee for further consideration.

Option 3 Defer

THAT a decision with respect to proposed *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* be deferred to the next regular meeting of the Fraser Valley Regional District Board [or other date].

Option 4 Refuse

THAT *Fraser Valley Regional District Electoral Area F Zoning Amendment Bylaw No. 1539, 2019* not be given first reading and the application be refused.

COMMENTS BY:

Graham Daneluz, Director of Planning & Development: Reviewed and supported.

Mike Veenbaas, Director of Financial Services: No further financial comments.

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.