

To: Electoral Area Services Committee

Date: 2020-03-10

From: David Bennett, Planner II

File No: 3360-23-2016-04

**Subject: Gateway Commercial Rezoning application for lands near the junction of Highway 9 and Highway 1 to facilitate the development of new commercial land uses. A gas station, drive-thru restaurants, carwash and other local and highway commercial land uses are**

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### RECOMMENDATION

**THAT** the motion granting first reading to the bylaw cited as *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017* be rescinded;

**THAT** *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017* be given a new first reading;

**THAT** *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017* be forwarded to Public Hearing;

**THAT** the Fraser Valley Regional District Board delegate the holding of the Public Hearing with respect to the proposed *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017* to Director Dickey or his alternate in his absence;

**THAT** Director Dickey or his alternate in his absence, preside over and Chair the Public Hearing with respect to proposed *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017*;

**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 *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017* in accordance with the Local Government Act;

**AND FURTHER THAT** in the absence of Director Dickey, or his alternate in his absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017*, 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 Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017*.

### STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community  
Provide Responsive & Effective Public Services

**PRIORITIES**  
Priority #4 Tourism

## BACKGROUND

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### PROPERTY DETAILS

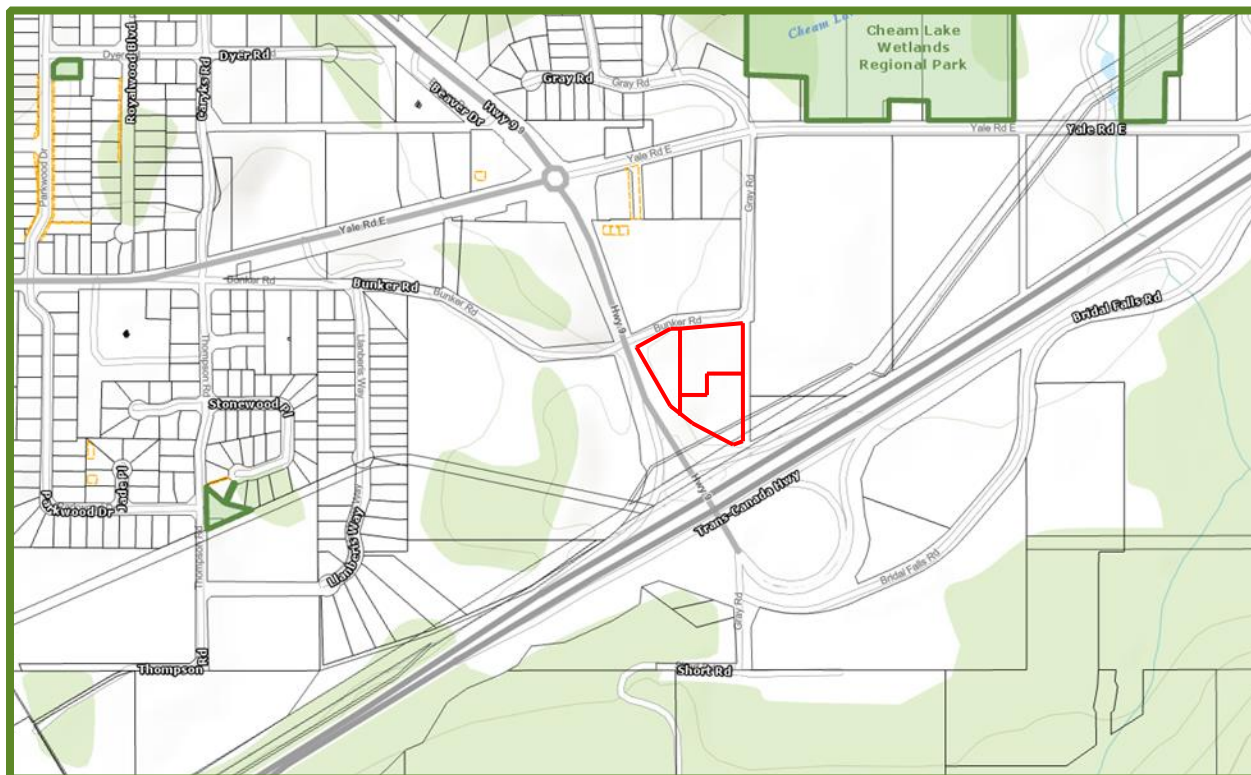
<b>Electoral Area</b>	D	
<b>Address</b>	53022 Bunker Road (same address for two properties) and 53032 Bunker Road	
<b>PID</b>	012-446-505 (extra PID 007-468-261) and 012-446-475	
<b>Folio</b>	733.06434.015 (same folio for second property) and 733.06435.000	
<b>Lot Size</b>	3.06 Acres (cumulative)	
<b>Owner</b>	0993044 BC Ltd	
<b>Current Zoning</b>	Country Residential (CR)	
<b>Current OCP</b>	Highway Tourist Recreation Commercial Areas	
<b>Current Use</b>	Residential, Agricultural	
<b>Development Permit Areas</b>	5-D West Popkum Commercial DPA; 6-D Riparian Areas DPA	
<b>Agricultural Land Reserve</b>	No	
<b>Hazards</b>	No	

### ADJACENT ZONING & LAND USES

<b>North</b>	<b>^</b>	Gateway Commercial (C-5), Commercial, Bare land
<b>East</b>	<b>&gt;</b>	Rural (R), Agricultural
<b>West</b>	<b>&lt;</b>	Suburban Residential 3 (SBR-3); Hwy 9, and Residential development
<b>South</b>	<b>v</b>	Country Residential (CR), Bare land, TransCanada Hwy



## NEIGHBOURHOOD MAP



## **File History**

*Fraser Valley Regional District Zoning Amendment Bylaw No. 1431, 2017* was given First Reading on September 20<sup>th</sup> 2017. The applicants have since revised their proposal. The proposal no longer includes RV Storage. To proceed as amended, the FVRD Board may consider rescinding first reading, and giving a new first reading to the bylaw as amended.

After completing conceptual design drawings, the applicants hosted two (2) public information meetings. The next step will be a public hearing.

**Proposed Zone**                      C-5 Gateway Commercial

**Proposed Uses** Drive-Thru Restaurants  
Convenience Stores  
Gas Station  
Commercial Retail  
Carwash

## **DISCUSSION**

### **C-5 Gateway Commercial Zone**

The C-5 Gateway Commercial zone was developed for the Popkum area to provide for Highway Commercial, Local Commercial, Motel or Motor Hotel, Accessory One family Residential and Accessory Signs uses in areas which are located on major transportation routes and are compatible with surrounding land uses. The C-5 zone was first applied to the Petro Canada commercial project immediately north of the subject lands in 2011. For certainty, commercial truck parking and fueling are prohibited in the C-5 zone.

LOCAL COMMERCIAL USE means a commercial use intended to serve the day-to-day needs of the local population residing in the vicinity of the local commercial use; includes general stores, convenience stores, small personal service establishments and artisan-craft workshop uses.

HIGHWAY COMMERCIAL means a commercial use located adjacent, or nearly adjacent, to routes of travel of regional significance which is intended to serve the needs of an itinerant motoring population; includes service stations, gas bars, restaurants and tourist information booths, but excludes major tourist recreation commercial uses, local and local tourist commercial uses, and the stopping, parking, storing, fuelling, washing or other servicing of Commercial Trucks unless the Commercial Truck is stopping or parking for the sole purpose of delivering goods to the property where it is stopped or parked.

**RV Storage Proposal**                      **Removed**

The developers removed proposed RV storage from the application in response to community concerns presented at previous public information meetings. The bylaw was re-written to reflect this change. To

proceed as amended, the FVRD Board may consider rescinding first reading, and giving a new first reading to the bylaw.

### **Site Servicing**

In accordance with the Fraser Valley Regional District Subdivision and Development Servicing Bylaw, a commercial development on a 2.1 ha lot may be served by an onsite sanitary system.

Other aspects of site servicing such as storm water may be resolved at the development permit and building permit stage should the rezoning be considered and approved by the FVRD Board. The proposed car washes require specific review for wastewater disposal and management in the storm water management plan. This will be addressed at the development permit stage.

### **Form and Character Development Permit**

The Highway 1 and Highway 9 interchange area is a highly visible location and the main gateway through the Popkum community. The current Official Community Plan has a comprehensive form and character development permit area for commercial developments. Residents have expressed concern that commercial uses should not detract from the surrounding residential uses or the natural environment. The aesthetic quality and integrity of the environment is vital to the appeal and success of the community.

The property is located in Development Permit Area 5-D. After consideration of adoption of the zoning bylaw and prior to subdivision, a Development Permit must be obtained. The Development Permit Area requires the applicant to provide an engineering study, certified by a Professional Engineer registered in the Province of British Columbia, which demonstrates that the development will not lead to degradation of the ground water regime or other environmental problems in the long term. Aspects of the development relating to form and character, as well as protection of the environment will be addressed during the Development Permit process. This will occur after rezoning.

The development permit will address:

- Protection of the Environment –Sanitary Sewer, Storm Water
- Parking
- Borders Landscaping and Screening
- Pedestrian Linkages
- Building Design
- Screening
- Tree planting

The site's current grading includes a relatively steep drop-off next to the Highway 1 off-ramp and there is a small knoll on the property near Bunker Road. These features will require cutting and filling. All of the existing trees on the property will be removed. New trees are required as part of development permit conditions. Trees are required in landscaping as well as within the parking areas.

### **Public Consultation**

The FVRD strongly encourages development applicants to discuss their proposals with neighbours. Early neighbourhood consultation where developers host a public open house is a consistent approach taken for rezoning applications in Popkum. The applicants hosted two public information meetings:

March 14, 2018

Public comment highlights: Concerns with RV parking, lighting and building design.

February 11, 2020

Public comment highlights: Glad to see the RV parking removed. Encouraged by possible major franchise chain tenants. Wanting to see more local services.

The developer's meeting summaries are attached.

In accordance with the FVRD First Nations Engagement policy, it is recommended that a notice and referral of the proposed bylaw be referred to the Sto:Lo Nation via Sto:Lo Connect referral system prior to the public hearing.

The bylaw will be forwarded to the Ministry of Transportation and Infrastructure.

### **Proposal Revisions**

The developer amended their proposal after the March 2018 meeting to respond to community concerns and comments. Specifically, the RV storage area was removed from the proposal. The developer also made changes to the form and character of the buildings.

### **COST**

2017 Commercial Rezoning Application Fee \$5,000.00 paid

### **CONCLUSION**

The proposed zoning amendment is consistent with the Official Community Plan. It is recommended that the Fraser Valley Regional District Board consider a new first reading of bylaw 1431, 2017 as outlined in the recommendation section of this report in order to proceed with the technical and public review process.

**COMMENTS BY:**

**Tareq Islam, Director of Engineering & Community Services** Review and supported.

**Graham Daneluz, Director of Planning & Development** Review and supported.

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

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