

To: Electoral Area Services Committee

Date: 2020-05-12

From: David Bennett, Planner II

File No: 3360-23-2020-01

Subject: Zoning Bylaw 1594, 2020 Proposed rezoning of 52655 Yale Road, Electoral Area D to facilitate a future subdivision between 52655 Yale Road and 10159 Caryks Road with the potential for two (2) new lots to be created.

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first reading to the bylaw cited *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1594, 2020* for the rezoning of 52655 Yale Road, Electoral Area D to facilitate a future subdivision between 52655 Yale Road and 10159 Caryks Road with the potential for two (2) new lots to be created;

THAT the Fraser Valley Regional District Board consider waiving the holding of a public hearing for *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1594, 2020* pursuant to section 464(2) of the Local Government Act;

AND THAT the Fraser Valley Regional District Board authorize its signatories to discharge covenant CA6068062 to facilitate a future subdivision between 52655 Yale Road and 10159 Caryks Road;

AND FINALLY, THAT the Fraser Valley Regional District Board authorizes its signatories to execute all documents relating to *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1594, 2020*.

STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy
Support Healthy & Sustainable Community
Provide Responsive & Effective Public Services

PRIORITIES

BACKGROUND

The purpose of Bylaw 1594 2020 is to rezone 52655 Yale Road from Country Residential to Suburban Residential 3 to facilitate a subdivision between 52655 Yale Road and 10159 Caryks Road with the potential for two (2) new lots to be created

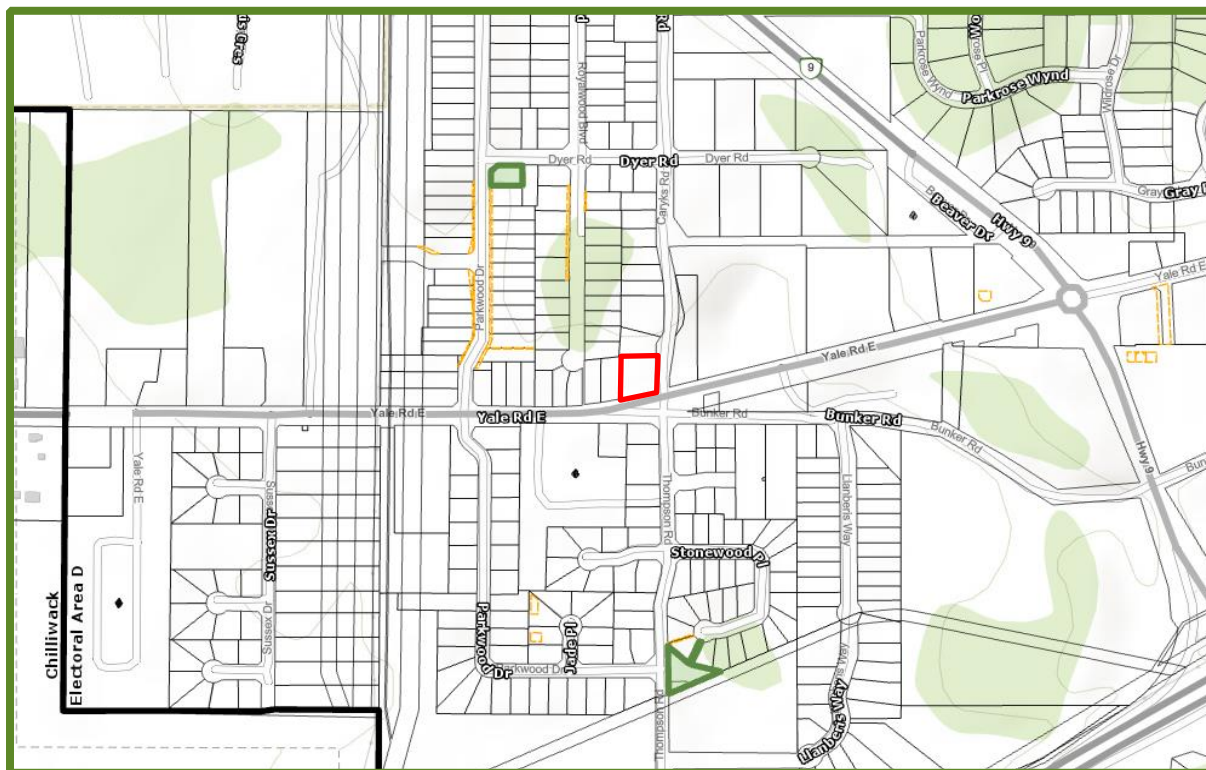
PROPERTY DETAILS

Electoral Area	D		
Address	52655 Yale Rd		
PID	007-420-285		
Folio	733.06645.050		
Lot Size	0.606 acres		
Owner	Glen & Karen Bruniski	Agent	Glen & Karen Bruniski
Current Zoning	Country Residential (CR)	Proposed Zoning	Suburban Residential 3 (SBR-3)
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Residential
Development Permit Areas	6-D Riparian Areas		
Agricultural Land Reserve	No		

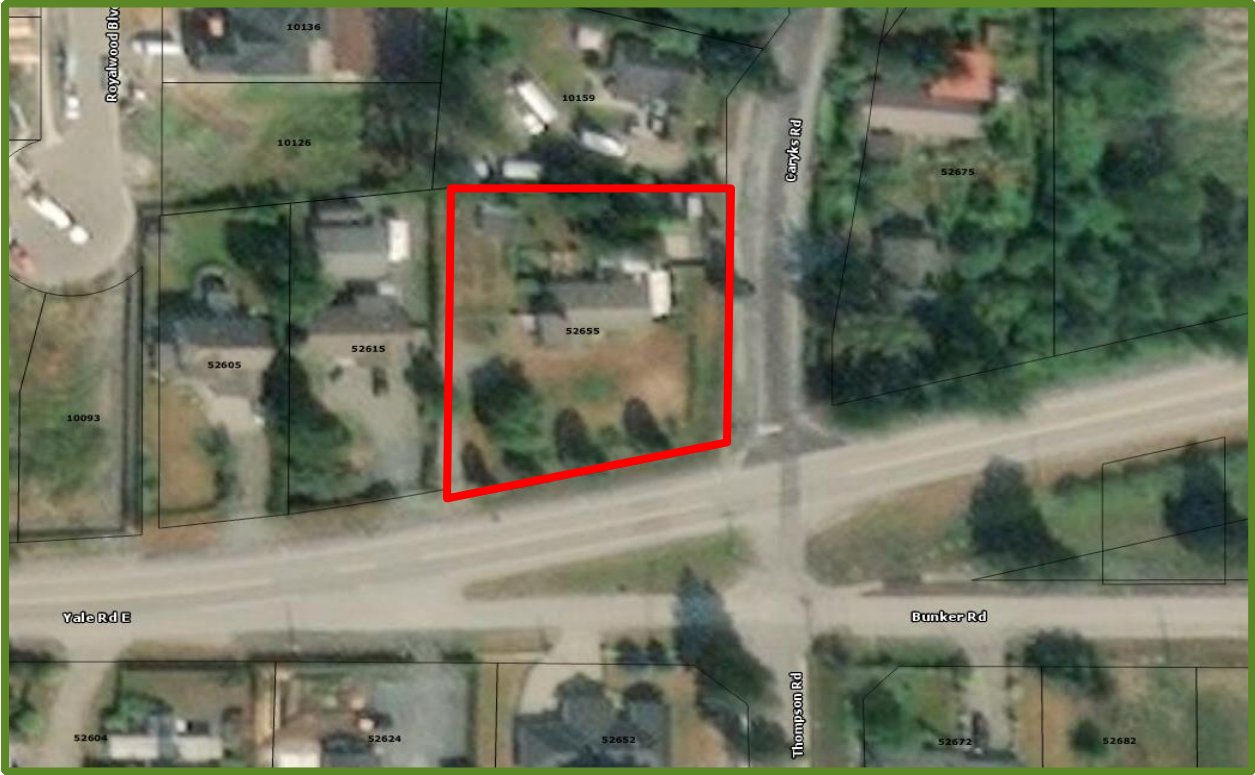
ADJACENT ZONING & LAND USES

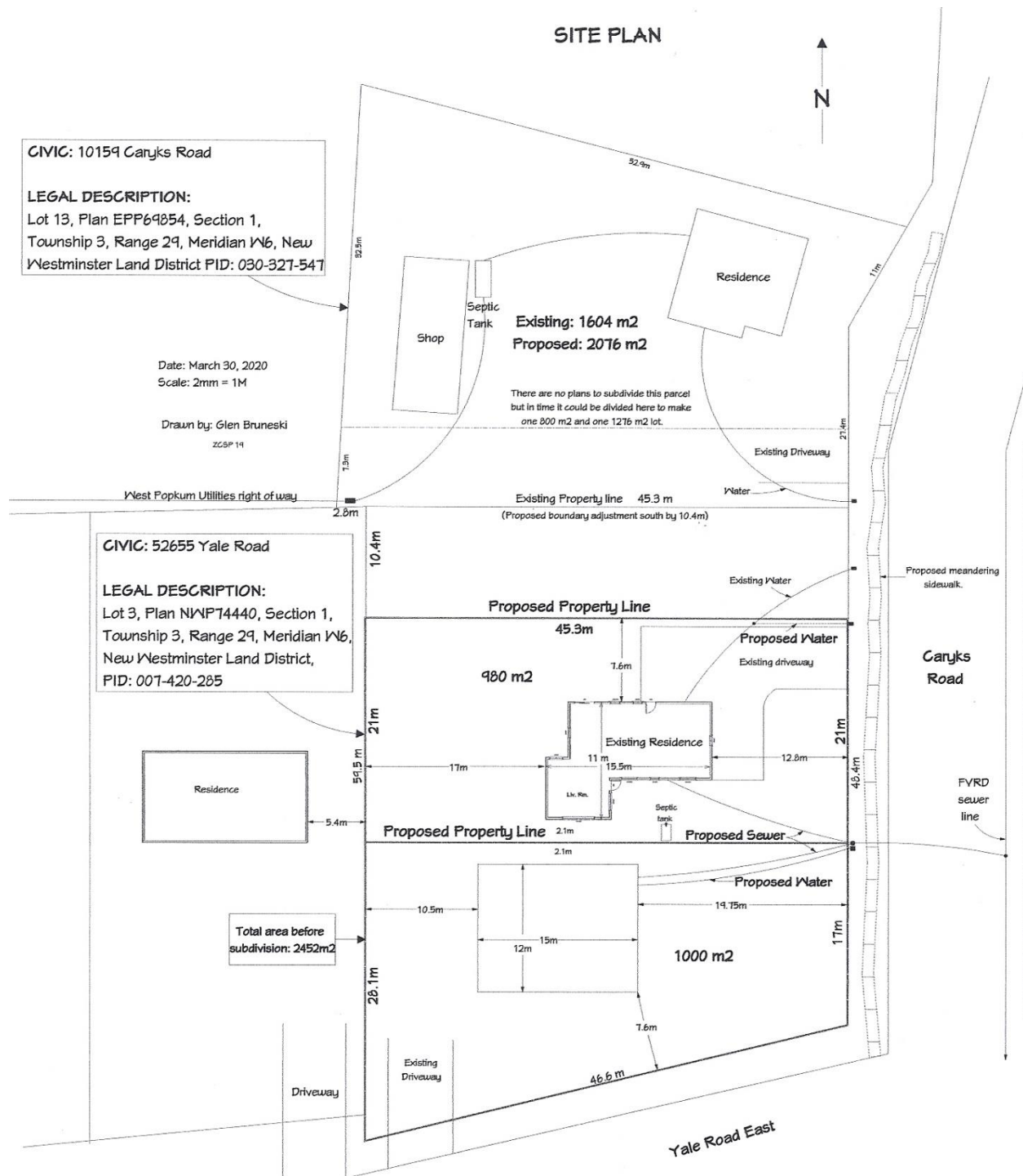
North	^	Suburban Residential 3 (SBR-3); Single-family Residence
East	>	Country Residential (CR); Caryks Rd, Single-family Residence
West	<	Suburban Residential 2 (SBR-2); Single-family Residence
South	v	Suburban Residential 2 (SBR-2); Single-family Residence, Yale Rd East

NEIGHBOURHOOD MAP



PROPERTY MAP





The proposed subdivision involves 10159 Caryks Road and 52655 Yale Road. There are two existing homes on two existing lots. The proposed subdivision would add one (1) lot and one (1) new home next to Yale Road. The northern proposed lot is 2076m². This northern lot is large enough that it could also be subdivided in the future. Therefore, the proposal has the potential for a total of two (2) new lots each with a new home. The developer has indicated that only one (1) of the new lots would be created by subdivision at this time. This proposal may be considered a minor infill subdivision.

DISCUSSION

Proposal Details

	Proposed Lot Size	Water Servicing	Sanitary Servicing	Stormwater Servicing
Lot 1	1000 m ²	FVRD Water	FVRD Sanitary	On-site
Lot 2	980 m ²	FVRD Water	FVRD Sanitary	On-site
Lot 3	2076 m ²	FVRD Water	West Popkum *	On-site

*The existing house on 10159 Caryks Road is connected to the West Popkum private sewer system, this house may remain connected.

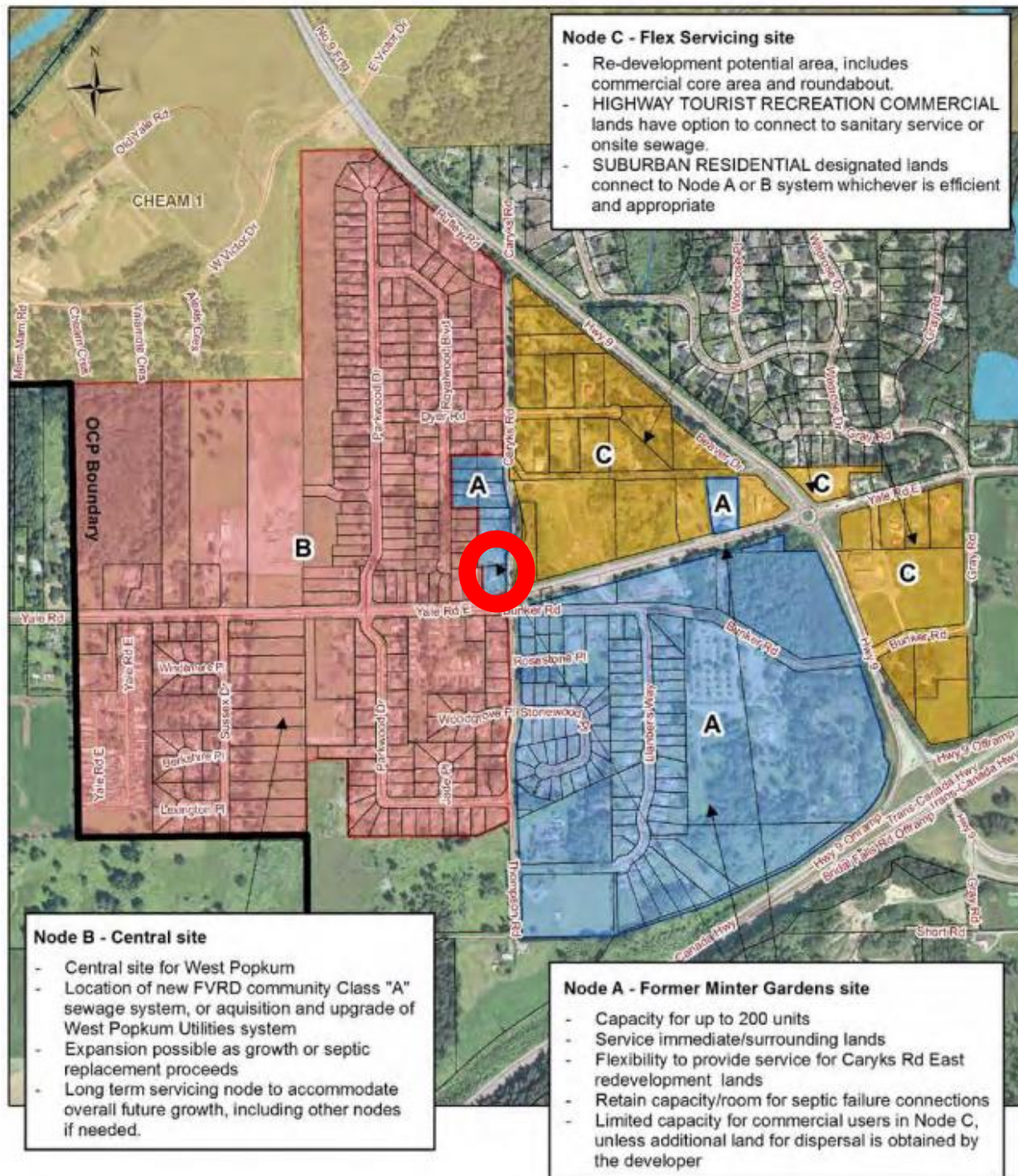
Private West Popkum Utilities Sanitary Servicing

The proposed 2076 m² lot located at 10159 Caryks Road has an existing connection to the private West Popkum utilities sewer system (WPU). This connection was authorized by the FVRD Board in 2017 as part of the rezoning process for a 13-lot subdivision on Royalwood Boulevard. This lot can remain connected to the WPU system. In the future, should an application to subdivide this 2076 m² lot into two lots be received, one of those lots may remain connected to WPU, but the other must connect to the FVRD Sanitary system. A requirement of this application will be to install water and sanitary service connections in anticipation of a future subdivision of this 2076 m² lot.

FVRD Popkum Sewer System Local Service Area

With the exception of the WPU connection noted above, all other lots in this development must connect to the existing FVRD sewer system that is located adjacent to the former Minter Gardens. The infrastructure for this sewer connection is already installed adjacent to this development's frontage on Caryks Road. The subject lands are also identified as within Sanitary Servicing Node A in the draft Official Community Plan for connection to this existing FVRD sanitary system.

Figure 1 - Sanitary Servicing Nodes



Park and Sidewalk

Park dedication, or cash-in-lieu, is not required for this application because fewer than three new lots are being created, and so the subdivision will not trigger the requirement for park dedication under the *Local Government Act*. However, community parks and trails are important features and highly valued in Popkum. As a matter of fairness, all new lots created by subdivision should contribute to the development of park amenities. FVRD staff will discuss opportunities for the developer to voluntarily contribute an equivalent value of funding as a community amenity contribution dedicated to park and trail development, infrastructure, and enhancements in the neighbourhood and report back to the Board.

Sidewalk is required and will be installed on the west side of Caryks Road with curb and gutter. The sidewalk will replace the existing asphalt walkway. The developer will be required to provide street trees.

CA6068062 Covenant Discharge

This covenant was registered on 10159 Caryks Road in 2017 as part of the rezoning process for a 13-lot subdivision on Royalwood Boulevard. The purpose of this covenant was to establish the conditions for permitting the 13-lot subdivision, including a restriction on the subdivision layout. This covenant is no longer required. It is recommended that this covenant be authorized for discharge, and a new comprehensive covenant specific to this application should replace it.

Public Hearing Waiver

The Local Government Act states:

- A local government may waive the holding of a public hearing on a proposed zoning bylaw if
 - (a) an official community plan is in effect for the area that is subject to the zoning bylaw, and
 - (b) the bylaw is consistent with the official community plan.

This proposed zoning bylaw is consistent with the *Local Government Act* conditions to waive the holding of a public hearing.

The impact on the neighbourhood will be the construction of one (1) new home adjacent to Yale Road. There is also the potential for a second new home to be constructed if the proposed oversized lot at 10159 Caryks Road is subdivided in the future. The condition of Caryks Road and the sidewalk will be improved as it is upgraded to an urban cross-section on the western side of the road.

Public Hearing Waiver Notification

The *Local Government Act* states that if a public hearing is waived, the local government must provide newspaper notification as well as mailed notification to neighbours.

This table summarizes the notification processes when a hearing is required and when the hearing is waived:

	Holding a Public Hearing	Waiving a Public Hearing
Posting a Sign on the Property	Required	Required
Mailed notification to Neighbours	Required	Required
Newspaper Ad	Required	Required
Neighbours express comments or concerns to the FVRD Board	Neighbours may speak at a public hearing, or submit written comments	Neighbours may provide written comments to FVRD staff

If the public hearing is waived, the public notification will inform neighbours that they may address comments or concerns to FVRD staff. FVRD staff will review any comments or concerns and share them with the Area D Director. Depending on any feedback received, FVRD staff may recommend that the public hearing waiver be rescinded and a public hearing be held. This determination would be made prior to consideration of third reading.

The holding of public hearings during the COVID-19 pandemic is complicated by public health orders and guidelines for reducing the spread of this disease. Staff would prefer to delay public hearings until it is safe to do so without putting electoral area residents at risk. Waiving the public hearing would allow this application to proceed without delay. The proposed development is minor infill subdivision in keeping with established development patterns. Staff anticipate that there will not be significant community concerns with the application. For these reasons, we support waiving the public hearing.

COST

Rezoning application fee - \$5,000.00 **Paid**

Connections to the FVRD community water system and sewer system are the responsibility of the developer. The proposed subdivision will be required to petition into required local service areas. These proposed additional parcels and new construction will reduce the existing service area participant's costs.

CONCLUSION

In order to determine whether or not to recommend proceeding to First Reading; FVRD staff's consideration included the following:

- Official Community Plan supports the development of Suburban Residential Lots
- The proposal is limited in scope and scale to a three-lot infill subdivision.
- Each proposed lot is larger than the 800m² minimum parcel size requirement of the SBR-3 zone.
- This proposal may be considered a minor Infill subdivision.
- The developer's immediate plan is only to create one new lot at this time. The proposed subdivision would create one (1) new lot and facilitate the construction of one (1) new home next to Yale Road.
- One oversized lot is proposed, and this lot may be subdivided in the future resulting in the construction of a second new lot and home.

COMMENTS BY:

Graham Daneluz, Director of Planning & Development	Reviewed and supported.
Kristy Hodson, Acting Director of Finance	Reviewed and supported.
Jennifer Kinneman, Chief Administrative Officer	Reviewed and supported.