

To: Fraser Valley Regional District Board
From: Dawn Smith, Planner II

Date: 2018-04-24
File No: 3360-22-2013-02 and
6480-30-051

Subject: Official Community Plan amendment Bylaw 1349, 2015 and Zoning Amendment Bylaw 1350, 2015 to facilitate a two lot subdivision at 12174 Hodgkins Rd, Electoral Area "C", Lake Errock

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider the following options for *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* as outlined in the corporate report dated April 24, 2018:

OPTION 1 – 2nd and 3rd reading

THAT proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be given second and third reading.

OPTION 2 – Refer to EASC and new Public Hearing

THAT proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be referred to the Electoral Area Services Committee for further consideration.

OPTION 3 - Defer

THAT a decision with respect to the proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be postponed to the next regular meeting of the Fraser Valley Regional District Board [or other date]; or

OPTION 4 - Refuse

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* not be given any further readings and that the application for rezoning be refused.

STRATEGIC AREA(S) OF FOCUS

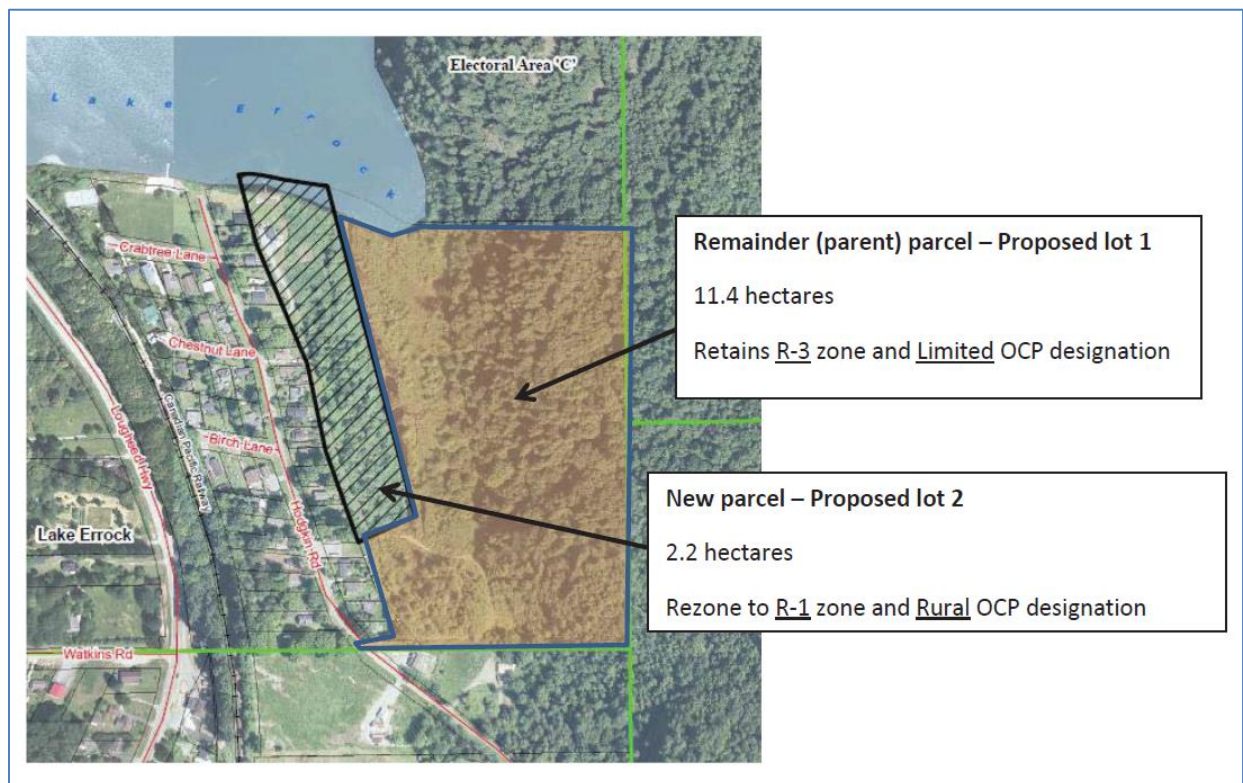
Support Environmental Stewardship
Foster a Strong & Diverse Economy
Foster a Strong & Diverse Economy
Provide Responsive & Effective Public Services

BACKGROUND

The purpose of Official Community Plan Amendment Bylaw 1349, 2015 (Bylaw 1349) and Zoning Amendment Bylaw No 1350, 2015 (Bylaw 1350) is to facilitate a two lot single family residential subdivision of 12174 Hodgkins Rd. The development involves one parcel of approximately 13.6 ha (33.7 acres) to eventually be subdivided as follows:

- Lot 1 (parent) – 11.4 ha (28.3 acres)
- Lot 2 (new) – 2.2 ha (5.4 acres)

The applicant proposes to rezone to Rural 1 (R-1) and amend the OCP designation to Rural (R) for a 2.2 hectare portion of the existing 13.6 hectare parcel. The amendments will allow for a minimum 2 hectare parcel size and facilitate the creation of an additional new lot on the level portion of the property. The remainder portion of 11.4 hectares will retain the Rural 3 (R-3) zone and Limited (L) designation as it is encumbered with significant geo-hazard areas due to steep slopes.



Each lot is proposed to accommodate one single family home. There is no park dedication required for the proposed development. Each new lot is proposed to be served by individual on site water (well) and septic. The applicant has completed technical reports to demonstrate the feasibility of future subdivision and address the geo-hazard, environmentally sensitive and riparian areas, and onsite septic and water service.

On September 20, 2017 the FVRD Board gave First Reading to "Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015" and "Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015" and forwarded both bylaws to public hearing held on December 20, 2017 and April 3, 2018. "Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015" and "Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015" now require a resolution by the Regional Board regarding how to proceed.

A Public Hearing was held on April 3, 2018. The Public Hearing has now closed. To avoid the requirement to hold another public hearing, the Regional Board may not receive any new information with respect to these bylaws. This report is a summary of applications and does not constitute new information.

The Fraser Valley Regional District Board may now receive the public hearing report and may consider the following options:

OPTION 1 **2nd and 3rd Readings**

THAT proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be given second and third reading.

OPTION 2 **Refer to EASC and a new Public Hearing**

THAT proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be referred to the Electoral Area Services Committee for further consideration.

OPTION 3 **Defer**

THAT a decision with respect to the proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be postponed to the next regular meeting of the Fraser Valley Regional District Board [or other date]; or

OPTION 4 **Refuse**

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* not be given any further readings and that the application for rezoning be refused.

DISCUSSION

Attached for information:

- Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015
- Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015
- Public Hearing Report

The public hearing was held on April 3, 2018. Director Niemi was delegated to hold the hearing; the public hearing report is attached separately. Approximately 28 members of the public attended the hearing. 44 written submissions were received. 9 comments were made at the public hearing. 1 petition in full support signed by 7 people was received.

# of Letters/Written Submissions Received		# Verbal Comments	
1	support	3	support
43	opposition	6	comments or concerns
7	petition in support		

Neighbourhood concerns

The following is a summary of the concerns raised at the two public hearing and a summary of how the developer proposes to address those concerns. The applicant has already provided technical reports in support of the proposal. These reports will be registered on title as legal instruments to ensure development proceeds as outlined in the reports. Should the FVRD Board consider giving second and third readings to these bylaws, the project will not be able to proceed to consideration of adoption until FVRD staff are satisfied with the legal instruments (ie. covenants).

Concern	Applicant Response	Follow up
Environmental Sensitive Area Protection	Environmentally sensitive area study and Riparian Area Assessment, prepared by Madrone Environmental.	Development permit and restrictive covenant required. Restoration access covenant required.
Neighbouring septic field and well impact	Septic feasibility study for proposed lots, prepared by ACE Engineering.	Further review not required. No new construction area proposed adjacent to existing homes.
New road access location	Access will be from existing Ministry of Transportation right of ways at upper and lower end of the property.	Further review not required.

Hydrological study for water movement from Lake Errock	Restoration and study assessment to be completed in the future.	Further review by developer is not required. Scope of issue is beyond what a 2 lot proposal can address.
Lake and groundwater conditions prevents building site	Flood construction elevation requirements outlined in GeoHazard report by Cordilleran Geoscience Ltd.	Development permit and restrictive covenant required.

Prior to adoption of the bylaw, the following legal instruments to be executed include:

- Environmental sensitive area protected area (Development Permit & restrictive covenant)
- Riparian area regulation assessment (Development Permit & restrictive covenant)
- Geo-hazard assessment (Development Permit & restrictive covenant)
- Sewage servicing (restrictive covenant)
- Wetland restoration access (statutory right of way)

Optional Motions for Consideration

OPTION 1 - 2nd and 3rd Readings

Purpose:

To proceed with the bylaws as drafted based upon the information received. A number of legal instruments are required to be registered on title prior to consideration of adoption, as outlined above.

Implications:

Timeline	This option provides for the bylaws to proceed to adoption as soon as the above-noted legal instruments are registered on title.
Additional Process	No additional process or public consultation is provided for the review of the application.
Considerations	The developer's commitments and obligations will be resolved by covenant registration.

Resolution for consideration:

THAT proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015* and *Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be given second and third reading.

OPTION 2 - Refer to EASC and a new Public Hearing

Purpose:

To refer the bylaw back to EASC for further discussion and to a new public hearing.

Implications:

Timeline	This option provides for further review by the EASC. This discussion may result in new information being discussed and as such a new public hearing would be required.
Additional Process	Further consideration by the EASC will add to the approval timeline. A new public hearing will add time to the approval timeline.
Considerations	Any additional changes to the application would be possible with new readings of the revised bylaws.

Resolution for consideration:

THAT proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015* and *Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be referred to the Electoral Area Services Committee for further consideration.

OPTION 3 - Defer

Purpose:

To defer a decision to a future Board meeting.

Implications:

Timeline	This option provides for further time to review the application by Board members prior to consideration.
Additional Process	Additional time is added to the development process timeline.
Considerations	No new information may be received by Board members.

Resolution for consideration:

THAT a decision with respect to the proposed *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015* and *Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* be postponed to the next regular meeting of the Fraser Valley Regional District Board [or other date].

OPTION 4 - Refuse

Purpose: To refuse the proposal.

Implications:

Timeline	This option stops the applications.
Additional Process	If the applicants wish to proceed without amending the proposal, they must wait six (6) months to reapply with the same application.
Considerations	The applicant will have to reapply or amend the development plans. A new bylaw process will be triggered.

Resolution for consideration:

THAT *Fraser Valley Regional District Official Community Plan Amendment Bylaw No. 1349, 2015 and Fraser Valley Regional District Zoning Amendment Bylaw No. 1350, 2015* not be given any further readings and that the application for rezoning and OCP amendment be refused.

COST

Rezoning and OCP amendment fees paid. No new or expansion to FVRD services areas is required to facilitate the proposed development.

CONCLUSION

The proposed Official Community Plan and zoning amendment application has received first reading and two public hearings. The Fraser Valley Regional District Board may now receive the public hearing report from April 3, 2018 and consider options to: grant 2nd and 3rd readings, refer back to EASC and a new public hearing, defer or refuse.

COMMENTS BY:

Graham Daneluz, Deputy Director of Planning and Development	Reviewed and supported
Margaret Thornton, Director of Planning & Development	Reviewed and supported
Mike Veenbaas, Director of Financial Services	No further financial comment.
Paul Gipps, Chief Administrative Officer	Reviewed and supported