

To: Electoral Area Services Committee

Date: 2018-09-05

From: David Bennett, Planner II

File No: 3360-26-2018-01

Subject: Rezoning and Official Community Plan amendment applications for 38447 Bell Road, Electoral Area 'G' to facilitate a 2.0 ha (5 acre) truck parking and storage yard.

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first reading to *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018* to facilitate the development of a commercial storage facility at 38447 Bell Road, Electoral Area G.

THAT *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018* 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 Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018* to the Director of Electoral Area G, or his Alternate in his absence;

THAT the Director of Electoral Area G, or his Alternate in his absence, preside over and Chair the Public Hearing with respect to proposed *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018*;

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 Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018* in accordance with the Local Government Act;

THAT in the absence of the Director of Electoral Area G, or his Alternate in his absence at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018* the Fraser Valley Regional District Chair is delegated the authority to designate who shall preside over and Chair the Public Hearing regarding this matter;

THAT in accordance with Section 475 of the Local Government Act and FVRD policy First Nations Engagement on FVRD Land Use by-laws and other matters with statutory requirement to engage, a notice and referral of *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* be sent to potentially affected First Nations via the Stò:lō Connect referral system where possible;

THAT in accordance with Section 475 of the Local Government Act, the Fraser Valley Regional District Board adopt the Official Community Plan consultation strategy as outlined in the corporate report dated September 5, 2018 for *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018*. The consultation strategy includes a notice and referral to the Stò:lō Connect referral system, the *Ministry of Transportation and Infrastructure, the Inch Creek Fish Hatchery, School District 75 (Mission)*];

AND THAT the Fraser Valley Regional District Board consider that *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* is consistent with the FVRD financial plan and FVRD waste management plan;

AND FURTHER THAT the Fraser Valley Regional District Board authorize its signatories to execute all documents relating to *Fraser Valley Regional District Official Community Plan for Electoral Area G Amendment Bylaw No. 1487, 2018* and *Fraser Valley Regional District Electoral Area G Zoning Amendment Bylaw No. 1488, 2018* and any associated applications.

STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy

Provide Responsive & Effective Public Services

BACKGROUND

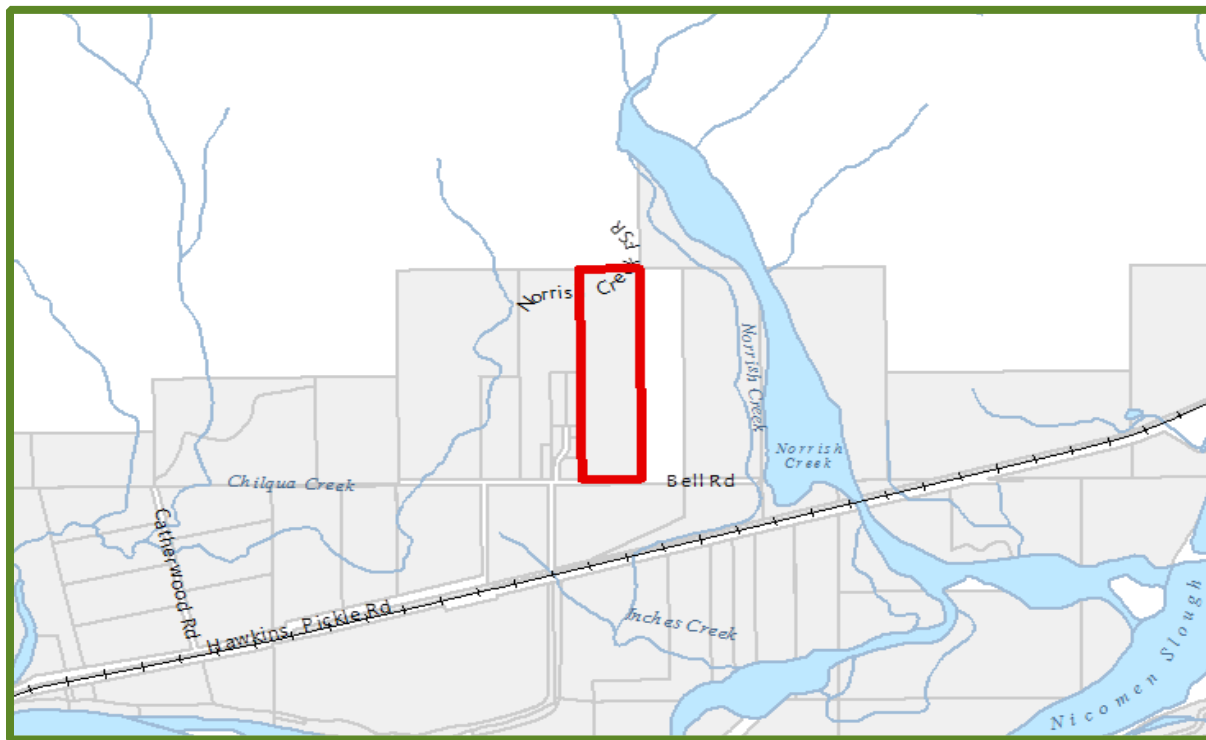
Proposal Description

The purpose of Bylaw No. 1487, 2018 and Bylaw No. 1488, 2018 is to facilitate the development of a 5 acre (2.0ha) storage facility at 38447 Bell Road. The facility would allow the storage of boats, RVs, bikes, trucks, and cars, commercial vehicles, heavy equipment and storage containers.

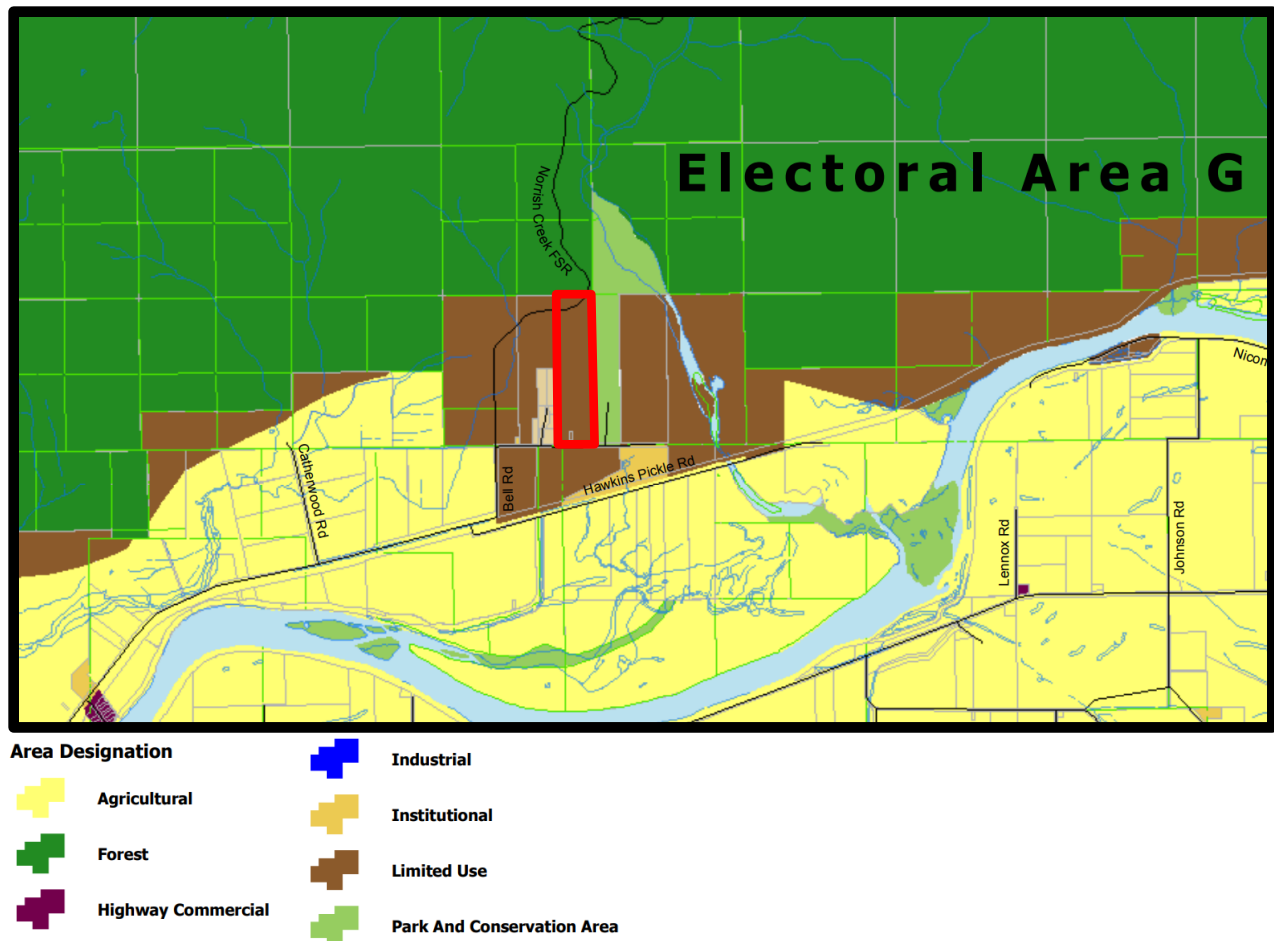
| PROPERTY DETAILS | | | |
|---------------------------|---|-----------------|-----------------|
| Electoral Area | G | | |
| Address | 38447 Bell Road | | |
| PID | 013-421-620 | | |
| Folio | 775.02764.000 | | |
| Lot Size | 39 acres | | |
| Owner | Berry and Persson | Agent | n/a |
| Current Zoning | Rural 3 (R-3) | Proposed Zoning | Vehicle Storage |
| Current OCP | Limited Use (LU) | Proposed OCP | Commercial |
| Current Use | Gravel Extraction, Nursery, Single Family Dwelling | Proposed Use | Vehicle Storage |
| Development Permit Areas | DPA 1-G and DPA 2-G | | |
| Agricultural Land Reserve | No | | |

| ADJACENT ZONING & LAND USES | | | |
|-----------------------------|---|---------------------------------------|--|
| North | ^ | Rural 3 (R-3), Crown Land | |
| East | > | Civic Institutional (P-2), Crown Land | |
| West | < | Rural 2 (R-2), Residential | |
| South | v | Rural 3 (R-3), Residential | |

NEIGHBOURHOOD MAP



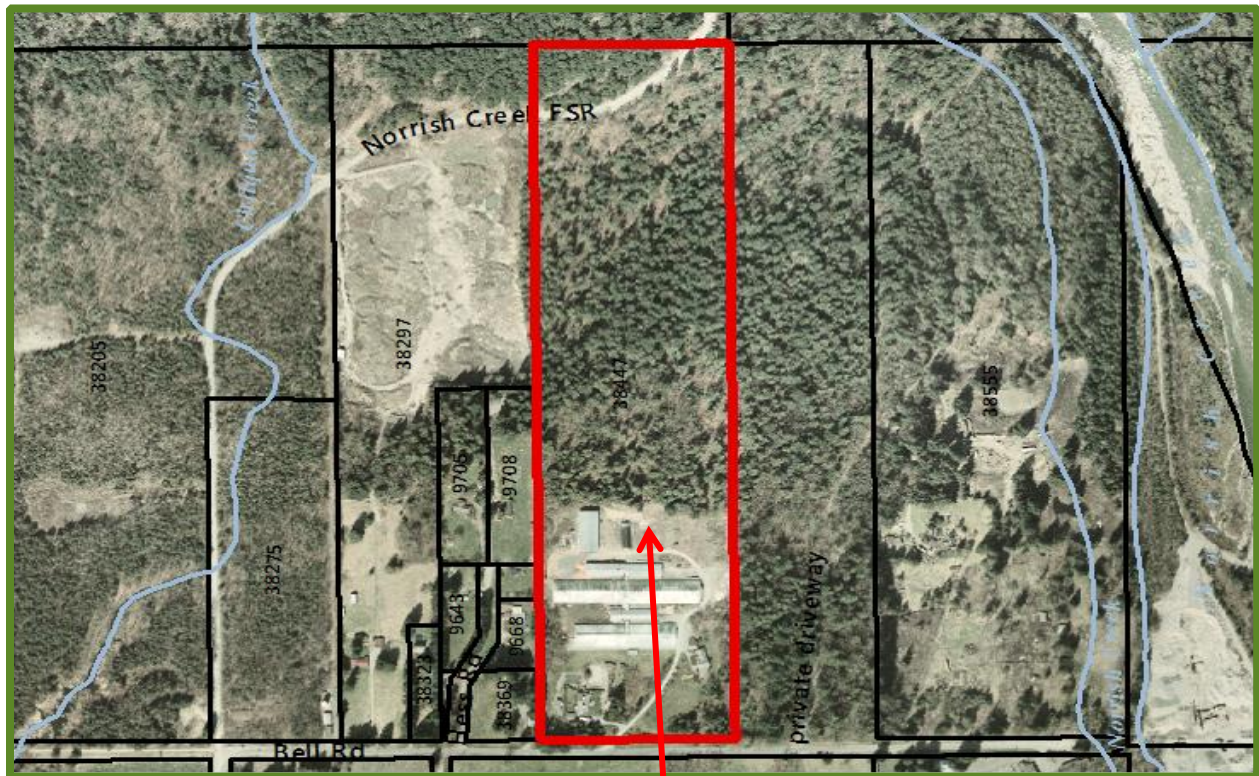
Official Community Plan



Current Official Community Plan Designation

The current Official Community Plan designation is Limited Use. The LIMITED USE Area Designation is intended to constrain development in areas with significant geological and flood hazards, limited road access, areas isolated from community services and areas which are environmentally sensitive. However, LIMITED USE lands may be re-designated if future studies show that an area can accommodate a broader range of uses without being affected by geological hazards or damaging environmentally sensitive areas, and where access and other requirements can be met.

PROPERTY MAP



DISCUSSION

Proposal and Neighbourhood Details

38447 Bell Road is approximately 40 acres. The southern 5 acres of the property is currently used for greenhouses and the northern 20 acres are used for a gravel extraction operation.

The proposal is to use of the middle 5 acres of 38447 Bell Road (the middle 5 acres are not visible from Bell Road) for commercial storage including: boats, RVs, bikes, trucks and cars commercial vehicles, heavy equipment and storage containers.

The neighbourhood is a unique area of the Regional District located on the Norrish Creek alluvial fan. The subject property is next to a small residential area (8 lots on Hess Road) and is across the street from the Inch Creek Fish Hatchery. To the rear of the property, and the east and west, there is an active gravel extraction operation. The Norrish Creek Forest Service Road cuts through a small portion of the property, this road provides access to the Abbotsford/Mission reservoir at Dickson Lake and the Dewdney Grind.

The majority of the neighbourhood is designated LIMITED USE. Official Community Plan policies state that Limited Use areas may be reduced and re-designated if future studies show that an area can safely accommodate a broader range of uses without environmental damage, unacceptable public risk, or excessive public expenditure on access or other public works. The applicant has provided a geo-hazard report and additional environmental impact assessments will be required to confirm that the storage uses will not result in environmental damage, as detailed below.

Geo-Hazards

The property is located on the Norrish Creek alluvial fan and is within a geo-hazard development permit area. A geo-hazard report was prepared for this proposal and the report concludes that the lands may be used safely for the intended outdoor storage use. A small protective berm is required. A covenant is required to address the geo-hazard recommendations and to implement the mitigation works. A development permit is also required.

Environmental Impact

The property is located near the Inch Creek Fish Hatchery. Prior to the storage of heavy equipment, commercial vehicles or cars and light trucks, the applicant will be required to submit a stormwater management plan to determine potential impacts to groundwater and to 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. The storage of *Recreational Vehicles* may be allowed in advance of the stormwater management plan.

Neighbours

The neighbours immediately to the west (Hess Road) are potential impacted from this proposed land use. The applicant was encouraged to inform their neighbours of the proposal and to work with them to address any concerns prior to public hearing.

Screening and Lighting

Accessory Outdoor Storage (where permitted elsewhere in bylaw 559) requires screening of all sides of any outdoor storage area. Screening must be at least 2.0m and may be either a hedge, fence or wall. It is recommended that screening (either installing new screening or protecting and enhancing the existing vegetation in a buffer area adjacent to the western property line) be required adjacent to the neighbours on the Hess Road side. A physical barrier, fence, should also be installed around the area proposed for this storage use to ensure the storage use is contained to the 5 acre portion of the site. Any proposed security lighting must be installed to avoid light-spill onto neighbour's lots. A restrictive covenant detailing the screening and lighting requirements is recommended to be registered on title prior to consideration of bylaw adoption. Any additional neighbour concerns may also be able to be addressed in a covenant.

Existing Structures

There are existing structures in the area proposed for the outdoor storage. These structures may be used for the storage facility but this will require a building permit to change the use of the structures from agricultural to commercial storage.

Storage Containers

The application requests that the placement of storage containers be permitted as part of the outdoor storage use. Placement of shipping containers, sea-cans or similar types of units require the issuance of a building permit. The geo-hazard report did consider the placement or use of container and considered container placement safe.

Land Use Restrictions by Covenant

To avoid creating additional site-specific zones, it is recommended to utilize the existing General Industrial zone (M-1). The M-1 zone permits General Industrial Use, which means a use providing for industrial processing, assembling, manufacturing, repairing, and packaging; workshops for trade contractors; transportation, storage, communication and utility uses; and wholesale trade uses; but excludes heavy industrial uses and MEDICAL MARIHUANA GROW OPERATION. The proposed use of the lands falls within the transportation and storage uses listed in the M-1 zone.

It is recommended to further restrict the uses on the lands by restrictive covenant. The covenant would further clarify that the use of the lands would be restricted to the temporary storage of *Recreational Vehicles*, boats, and motor vehicles including all-terrain vehicles, motorcycles, cars and light trucks, commercially licenced vehicles and heavy equipment, either outdoors or within structures. All other

general industrial uses would be prohibited as well as any overnight accommodation, residential, or camping uses, the salvage, repair, maintenance or sales of, commercially licenced vehicles, heavy equipment, motor vehicles, motor vehicle engines or motor boats, motor vehicle body repair or painting.

Business Licencing

The FVRD does not issue business licences. It will be difficult to regulate this land use if the operation changes from the intended storage uses into commercial truck repair or other unintended or non-permitted uses.

OFFICIAL COMMUNITY PLAN AMENDMENT CONSULTATION:

In accordance with the Local Government Act, when adopting or amending an official community plan the Board is obliged to consult with other organizations and agencies. The Board is obliged to consider whether consultation is required with first nations, senior government agencies or other organizations. 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 Stolo Connect referral system prior to public hearing. The proposed bylaw is also recommended to be forwarded to the Ministry of Transportation and Infrastructure, the Mission School District, and the Inch Creek Fish Hatchery.

In accordance with the Local Government Act, after first reading the regional Board must consider the proposed Official Community Plan amendment in conjunction with Regional District's current financial and waste management plans. With regards to the financial plan this project would be funded by the developer. The proposed bylaw is compatible with and consistent with the FVRD Five Year Financial Plan and Solid Waste Management Plan.

In terms of the FVRD Regional Growth Strategy (RGS), the proposed bylaw is consistent with the RGS.

COST

Zoning Amendment fee of \$5000.00 paid by the applicant

Official Community Plan Amendment fee of \$2000.00 paid by the applicant

The proposed development will not add new FVRD owned and operated infrastructure.

CONCLUSION

It is recommended that the Fraser Valley Regional District Board consider first reading of Bylaw No. 1487, 2018 and Bylaw No. 1488, 2018 as outlined in the recommendation section of this report in order to proceed with the technical and public review process.

COMMENTS BY:

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