

To: CAO for the Electoral Area Services Committee

Date: 2018-12-11

From: David Bennett, Planner II

File No: 3360-23-2018-01

Subject: Rezoning application for 10304 Agassiz-Rosedale Highway, Electoral Area "D" to facilitate a proposed four (4) lot suburban residential subdivision.

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving first reading to the bylaw cited as *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1502, 2018* for the purpose of rezoning 10304 Agassiz-Rosedale Hwy (Highway 9) to facilitate a four (4) lot suburban residential subdivision;

THAT the *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1502, 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 Electoral Area D Zoning Amendment Bylaw No. 1502, 2018* to Director Dickey or, in his absence, the Alternate Director for Area D;

THAT Director Dickey or his alternate preside over and chair the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1502, 2018*;

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 Electoral Area D Zoning Amendment Bylaw No. 1502, 2018* in accordance with the Local Government Act;

AND FURTHER THAT in the absence of both Director Dickey and his alternate at the time of the Public Hearing with respect to proposed *Fraser Valley Regional District Electoral Area D Zoning Amendment Bylaw No. 1502, 2018*, 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 Electoral Area D Zoning Amendment Bylaw No. 1502, 2018*.

STRATEGIC AREA(S) OF FOCUS
Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community
Provide Responsive & Effective Public Services

BACKGROUND

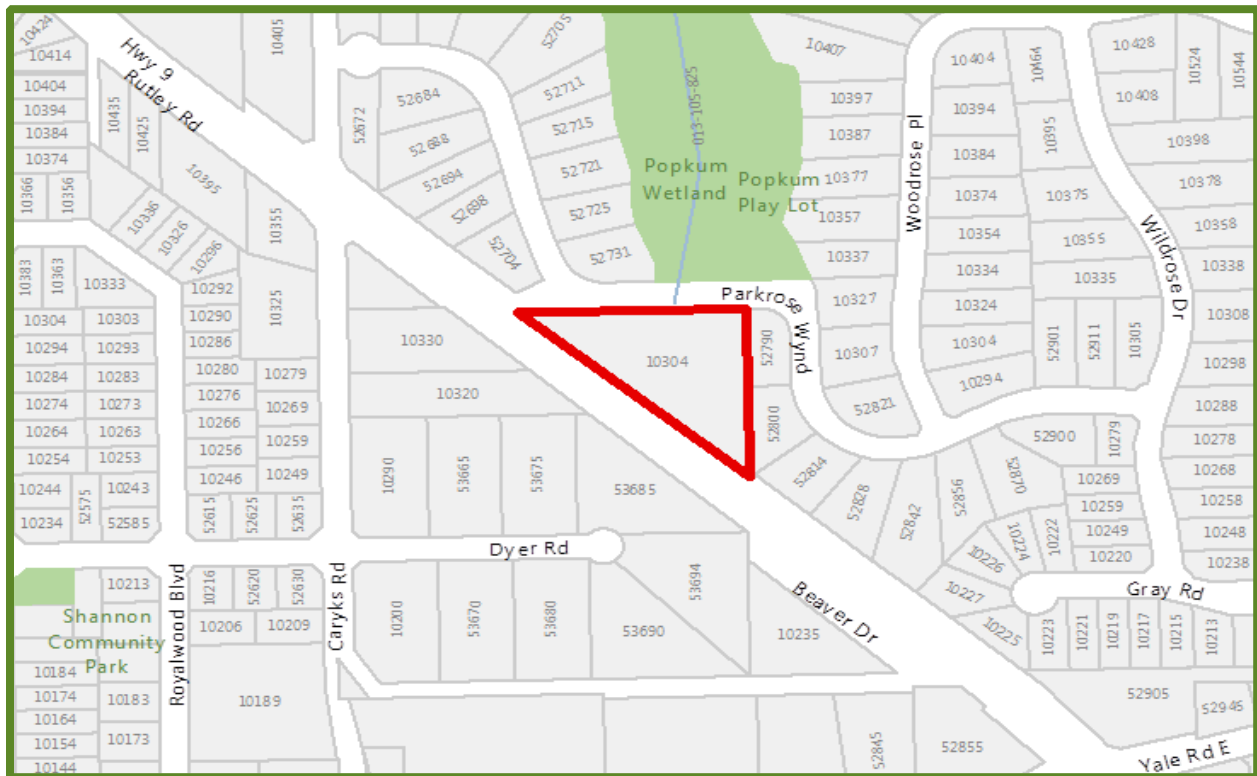
PROPERTY DETAILS			
Electoral Area	D		
Address	10304 Agassiz-Rosedale Hwy.		
PID	013-105-876		
Folio	733.06454.000		
Lot Size	2.528 acres		
Owner	Goosen Construction Inc.	Developer	Jeremy & Amanda Goosen
Current Zoning	Country Residential (CR)	Proposed Zoning	Suburban Residential 1 (SBR-1)
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	SFD	Proposed Use	Subdivision (x4 lots)
Development Permit Areas	n/a		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Suburban Residential (SBR-2), Residential / Popkum Wetland
East	>	Suburban Residential (SBR-2), Residential
West	<	Country Residential (CR), Residential
South	v	Country Residential (CR), Residential

APPLICATION DETAILS

Goosen Construction applied to rezone and subdivide 10304 Agassiz-Rosedale Hwy (Highway 9) into four 1/2 acre suburban residential lots. Parcel sizes are 0.225ha (0.55acres) and require connection to the FVRD water system. On-site septic sewage disposal is permitted at this parcel size. The existing house on the lands will be retained. All driveways and future access to the proposed lots will be from Parkrose Wynd and not from Highway 9.

NEIGHBOURHOOD MAP



DRAFT SUBDIVISION LAYOUT



DISCUSSION

In order to demonstrate compliance with Official Community Plan policies, prior to Public Hearing, the developer must complete the following technical reporting:

On-site Septic Report **Required**

The developer submitted a Soil Permeability report that concludes that the soil conditions on the lands will allow for the construction of domestic septic fields. This report is sufficient to proceed to first reading. Prior to public hearing, the report must be updated to demonstrate that the proposed development is suitable for long term on-site sewage disposal and that no danger exists for ground water pollution which could lead to environmental problems. The report must show locations for primary and reserve field locations on each proposed lot. Co-ordination with the arborist regarding tree retention areas is required.

Tree Retention Report **Required**

The application states that existing trees will be retained unless they will interfere with home construction or are deemed unsafe. To provide the community with a better understanding of the

proposed tree removal and retention, a report prepared by a Certified Arborist, trained in assessing the health of trees in an urban environment is required prior to public hearing and must include:

1. The location, description and number of trees to be removed.
2. The location, description and number of trees to be retained.
3. A replacement or remedial action plan for the trees being removed.
4. A plan to protect trees during the construction of the subdivision and housing development.
5. This plan shall confirm that it is necessary to remove or alter the trees or any of them in order to accommodate; the subdivision of the lands, primary and reserve septic fields, lot grading, the construction of single family dwellings and accessory buildings on the lands, subdivision servicing infrastructure, or for reasons of safety, disease or the general health of the trees.

Highway Noise Report

Required

Traffic noise from Highway 9 impacts the Popkum neighbourhood. Some property owners have erected private sound walls to mitigate the noise from the highway in this area. The Ministry of Transportation and Infrastructure has also constructed a noise fence near the Highway 9/Yale Road round-about. The potential impacts from highway noise on this proposed development requires evaluation. Prior to consideration of adoption, a report prepared by a Qualified Professional, an Acoustical Engineer, is required. The report must:

1. Determine acceptable sound levels within the development site and within 250m of the site to the north and east of the site.
2. Detail the sound levels pre-development and post-development (accounting for tree removal and site grading).
3. Determine strategies and recommendations to mitigate sound levels to acceptable levels. This may include safety setbacks, berms, landscaping and other on-site and construction methods.
4. The report must take into account the Federal Canada Mortgage and Housing Corporation's guidelines, "Road and Rail Noise: Effects on Housing".

Form and Character Drawings Required

The FVRD does not regulate the form and character of single family homes in Popkum. The adjacent Rose Garden Estates subdivision was developed with a design control covenant in favour of the developer to control the form and character of homes. Prior to public hearing, the developer must prepare conceptual design drawings to show the form and character of the homes that are proposed. Registration of a design control covenant in favour of the developer is recommended to ensure the quality of new construction matches the existing neighbourhood.

Park Dedication Offer Required

In accordance with the Local Government Act, provision of Park is required for this proposal. Prior to public hearing, a written offer from the applicant is required to address public Park requirements. The lands are located adjacent to the Rose Garden Estates play park. It may be appropriate to consider opportunities to provide park improvements at this location, or to simply obtain cash-in-lieu of park dedication to be used towards future park acquisition in the area. A park offer will be need FVRD Board approval prior to consideration of bylaw adoption.

Service Area Petitions Required

Prior to consideration of adoption, the lands must be petitioned into the following service areas:

- Linear Park
- Stormwater
- Street Lighting
- Community Water

Covenant Discharge Required

There is an existing covenant registered on the title of the lands dating back to a 1992 building permit application for the placement of a companionate care mobile home. This covenant is no longer required as the mobile home was removed from the property several years ago. Discharge of this covenant may occur at any time, but it is recommended to be removed prior to consideration of adoption.

Highway 9 Access Restriction Required

Prior to consideration of adoption, it is recommended that a covenant be registered on the lands prohibiting access from Highway 9. All access to the proposed new lots can be achieved from Parkrose Wynd.

Comprehensive Covenant Required

A covenant detailing on-site stormwater management requirements, building elevations, as well as construction security and tree retention, is required. This agreement may also details matters relating to sewage disposal and mitigation of highway noise. This agreement must be registered prior to consideration of zoning adoption.

Lot Grading Plan Required

The grade of the property contains numerous slopes. Prior to public hearing, a comprehensive grading plan is required to ensure there is clear information on the grades and any retaining structures to the abutting properties and roads, and how the lot grading will impact tree removal and retention on the property.

COST

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

Connections to the existing FVRD community water system are the responsibility of the developer. The proposed subdivision will be required to petition into the water system service area, street lighting service area, linear park service area and stormwater service area. 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 four-lot infill subdivision.
- Each proposed lot is larger than the 2000m² minimum parcel size requirement of the SBR-1 zone (all four proposed lots are greater than 0.225ha (0.55acres).
- Preliminary septic reporting indicates appropriate conditions for septic disposal on site.
- This proposal may be considered a minor Infill subdivision.

COMMENTS BY:

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 comment
Paul Gipps, Chief Administrative Officer	Reviewed and supported