



COUNCIL REPORT

Executive Committee

Report No. PDS 010-2023

Date: January 10, 2023

File No: 3100-05 PRJ21-119

To: Mayor and Council
From: Brittany Ekelund, Planner
Subject: Rezoning application (2309 Bakerview Street)

RECOMMENDATION

1. THAT Bylaw No. 3340-2023, "Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 492", be given first and second readings at the next Regular Meeting of Council, and be advanced to an upcoming Public Hearing;
2. THAT prior to adoption of Bylaw No. 3340-2023, "Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 492", the following conditions be satisfied:
 - (a) entering into a development agreement and/or providing cash-in-lieu payments to secure the required upgrades and extensions, in accordance with Development Bylaw, 2011, as detailed in the Works and Services Report;
 - (b) providing a Community Benefit Contribution of \$625 for future transit and cycle infrastructure, park improvements, and affordable housing;
 - (c) obtaining Ministry of Transportation and Infrastructure approval of Bylaw No. 3340-2023, "Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 492"; and
 - (d) resolving all issues of funding for items not budgeted by the City.

REPORT CONCURRENCE	
General Manager The General Manager concurs with the recommendation of this report.	City Manager The City Manager concurs with the recommendation of this report.

PURPOSE

To consider rezoning the subject property from Urban Residential Zone, Infill (RS3-i) to Infill Residential Zone (RS7) to allow for a two lot subdivision.

SUMMARY OF THE ISSUE

The applicant proposes to rezone the subject property from Urban Residential Zone, Infill (RS3-i) to Infill Residential Zone (RS7) to facilitate a two lot subdivision. The application is consistent

with the Urban 3 – Infill land use designation in the Official Community Plan. The existing single detached dwelling will be demolished prior to subdivision approval. Staff support the proposed rezoning.

BACKGROUND

Applicant:	Dapinder Sandhu
Registered Owners:	Gurbax K Sandhu and Balwinder S Sandhu
Legal Description:	Lot 33 SECTION 17 TOWNSHIP 16 NEW WESTMINSTER DISTRICT PLAN 20801
OCP Designation:	Urban 3 – Infill
Existing Zoning:	Urban Residential Zone, Infill (RS3-i)
Proposed Zoning:	Infill Residential Zone (RS7)
Site Area:	696.77m ² (7,500ft ²)
Site Description:	The subject property is located on Bakerview Street within an established residential neighbourhood. The property contains a single detached dwelling.
Surrounding Uses:	N: Single detached residential (zoned RS3-i); S: Single detached residential infill (zoned RS3-i) E: Bakerview Street and single detached residential (zoned RS3-i and RS4) beyond; W: Dormick Park Elementary School (zoned P2).

DISCUSSION

Context

1. The proposed development is located directly east of Dormick Park Elementary School. The surrounding neighbourhood consists of single detached dwellings. The nearest playground is located at the Dormick Park Elementary School directly behind the rear of the parcel, with Mill Lake Park also located within close vicinity. Commercial services are available to the northeast, along South Fraser Way.

Official Community Plan (OCP)

2. The Official Community Plan (OCP) designates the property as Urban 3 – Infill (see Figure 3). The intent of the Urban 3 – Infill land use category is to enable infill residential with density increases near City and Urban Centres and the Primary Transit Corridor, and includes single detached dwellings with accessory units and ground orientated duplexes. The proposal to rezone the subject property to the RS7 Zone is consistent with the Urban 3 – Infill land use designation.
3. The proposed development meets the intent of broader OCP objectives, as follows:

- Support diverse housing types for a variety of household sizes, incomes, tenures, and preferences (2.1); and
- Focus residential intensification around the Urban and Neighbourhood Centres (2.9).

Zoning

4. The applicant is proposing to rezone the subject property from Urban Residential Zone, Infill (RS3-i) to Infill Residential Zone (RS7) to allow for a two lot subdivision. The proposed lots each have an approximate area of 384.4m² and front lot line lengths of 11.43m respectively.
5. The subdivision Regulations within the RS7 Zone require a minimum lot size of 300m² for new interior lots with a minimum front lot line length of 10.0m, and a minimum lot depth of 22.5m. The two proposed lots comply with the minimum interior lot subdivision regulations of the RS7 Zone.

Accessory Unit Policy

6. As identified in Part 2 of the OCP, secondary suites are supported in single detached dwellings, subject to the following criteria:
 - Not be on a cul-de-sac bulb;
 - Not be in a bare land strata (except where road infrastructure meets City bylaw standards);
 - Have a minimum frontage of 12.0 m;
 - Have a minimum lot size of 400m²; and
 - Be located on a Collector or Local road.

The proposal is not consistent with the above criteria; therefore, neither of the proposed lots would be permitted either a secondary suite or a garden suite.

Affordable Housing Strategy

7. On May 25, 2020 the City adopted an updated Affordable Housing Strategy (AHS). This strategy contains two overarching policy topics; Housing Supply and Partnerships and Coordination. Under the category of Housing Supply, similar to the OCP objectives and policies, the AHS encourages the development of diverse housing options for all stages of life across the housing continuum. The applicant's proposal is consistent with this policy objective.

Subdivision

8. The proposed preliminary subdivision layout (refer to Figure 5) to create a two lot subdivision will be reviewed for acceptability by the Approving Officer, if the rezoning application receives 3rd reading from Council. At that time, staff will conduct a formal subdivision review and exact dimensions of the proposed lots will be finalized.

Driveway and Parking Requirements

9. The proposed development will be required to comply with the Zoning Bylaw and the Development Bylaw when constructing a driveway. The Zoning Bylaw requires a minimum of two parking spaces for a single detached dwelling. The minimum parking stall width is

2.7m and the minimum length is 5.5m. As per the Development Bylaw, the maximum driveway width is 6.0m and the minimum is 2.7m.

10. The applicant has submitted a proposed subdivision survey prepared by a BC Land Surveyor. The proposed subdivision plan confirms that the proposed lots exceed the minimum required lot width and depth; therefore staff have no concerns with both lots being able to accommodate the required parking spaces.

Community Benefit Contributions

11. Upon adoption of the 2016 Official Community Plan a greater and more purposeful emphasis was placed on making alternative forms of transportation such as walking, biking and public transportation delightful. Additionally, the 2016 OCP emphasized accommodating 75% of new growth in existing neighbourhoods, thereby increasing the demand on the City's existing social infrastructure including park and recreational spaces. In response, the City began negotiating the collection of Community Benefit Contributions (CBC) for residential and commercial developments at time of rezoning. With respect to residential developments staff has been recommending the collection \$625 per additional dwelling unit (\$225 per unit for transit and bicycling infrastructure improvements, \$200 for park enhancements, and \$200 for affordable housing). For the subject application, the recommended CBC based on this formula is \$625.

Site Development Considerations

12. A staff review of the Works and Services report dated October 22nd, 2021 necessary to support this application has been completed and is outlined within Attachment B. Cash in lieu of construction for half an Urban Single Family standard road along the entire length of the parcel in the amount of \$14,052.75 is recommended.
13. In addition to the above comments, the developer is responsible to adhere to all other legislation, which may apply to the land, including:
 - a) complying with all applicable City bylaws, such as Official Community Plan, Development Bylaw, Tree Protection Bylaw, Building Bylaw, Sign Bylaw, Erosion and Sediment Control Bylaw, and Development Cost Charges Imposition Bylaw, administered by the City; and
 - b) obtaining all other necessary approvals and permits on such terms as they may be issued, including but not limited to a development permit, tree removal permit, subdivision approval, building permit, soil removal/deposit permit, Ministry of Health permit, Ministry of Transportation and Infrastructure approval and Ministry of Environment approval.

Ministry of Transportation and Infrastructure Approval

14. The subject property is located within 800m of a controlled access intersection with Highway 1. As such, proposed Bylaw No. 3340-2023, "Abbotsford Zoning Bylaw, 2014, Amendment No. 492" requires approval from the Ministry of Transportation and Infrastructure (MoTI).

Communication Plan

If the zoning amendment bylaw is supported by Council, Bylaw No. 3340-2023 “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 492” will proceed to a Regular Meeting of Council, where it will be considered for 1st and 2nd readings. If supported by Council, the Rezoning Bylaw will proceed to a Public Hearing. The City will notify in writing the owners and occupiers of land within a 100 meter radius of the property and provide Council with copies of any feedback that is received.

The City received confirmation on November 15th, 2022, that the applicant installed the required Development Notification Signage in accordance with the Development Application Procedures Bylaw, which requires the signage to be installed a minimum of three weeks in advance of Council’s consideration of the application.

FINANCIAL PLAN IMPLICATION

No financial plan implications are anticipated. Any capital works implications arising from this application have been addressed through the rezoning process.

IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The proposal meets the goals and objectives identified in the 2016 Official Community Plan, the Affordable Housing Strategy and Council’s 2019-2022 Strategic Plan which identifies four cornerstones: vibrant economy, complete community, fiscal discipline and organizational alignment. The proposal is consistent with the four cornerstones of Council’s Strategic Plan.

SUBSTANTIATION OF RECOMMENDATION

Staff support the rezoning of the subject property from the Urban Residential Zone, Infill (RS3-i) to the Infill Residential Zone (RS7) to permit a two lot residential subdivision given the proposed development is consistent with the Urban 3 – Infill land use designation and the broad objectives of the OCP that encourages densification within the Urban Development Boundary.

Komal Basatia

Komal Basatia
General Manager, Finance and Procurement Services
Signed 1/9/2023 11:01 AM

IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The proposal meets the goals and objectives identified in the 2016 Official Community Plan, the Affordable Housing Strategy, and Council’s 2019-2022 Strategic Plan which identifies four cornerstones: vibrant economy, complete community, fiscal discipline and organizational alignment. The proposal is consistent with the four cornerstones of Council’s Strategic Plan.

SUBSTANTIATION OF RECOMMENDATION

Staff supports the rezoning of the subject property from Urban Residential Zone, Infill (RS3-i) to Urban Residential Zone (RS7) to permit a two lot residential subdivision, given that the proposed development is consistent with the Urban 3 – Infill land use designation and is in keeping with the broad objectives of the OCP that encourages densification and the establishment of a mix of housing types within the Urban Development Boundary.

Brittany Ekelund

Brittany Ekelund
Planner
Signed 12/22/2022 1:14 PM

Blake Collins

Blake Collins
Director, Development Planning
Signed 1/9/2023 9:35 AM

Mark Neill

Mark Neill
General Manager, Planning and Development Services
Signed 1/9/2023 12:43 PM

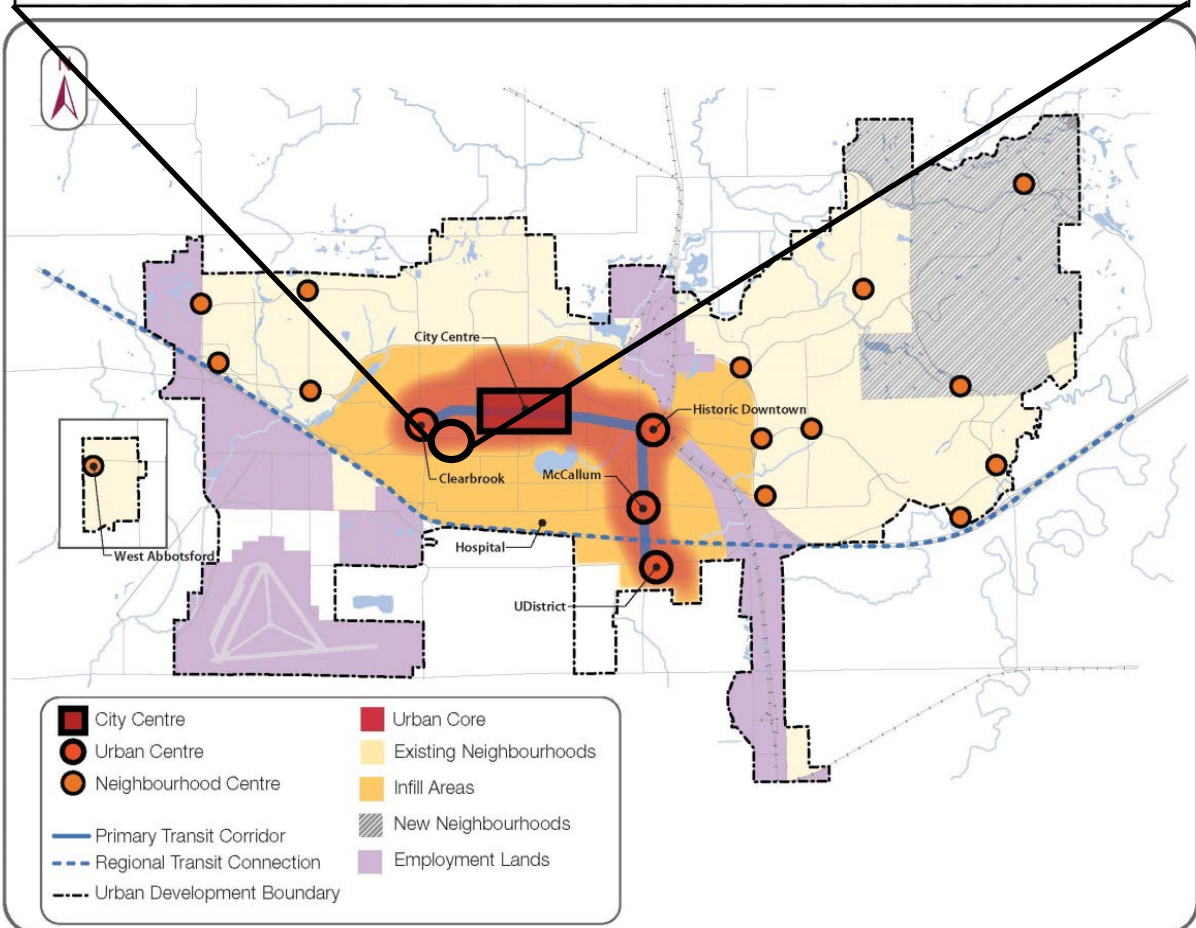
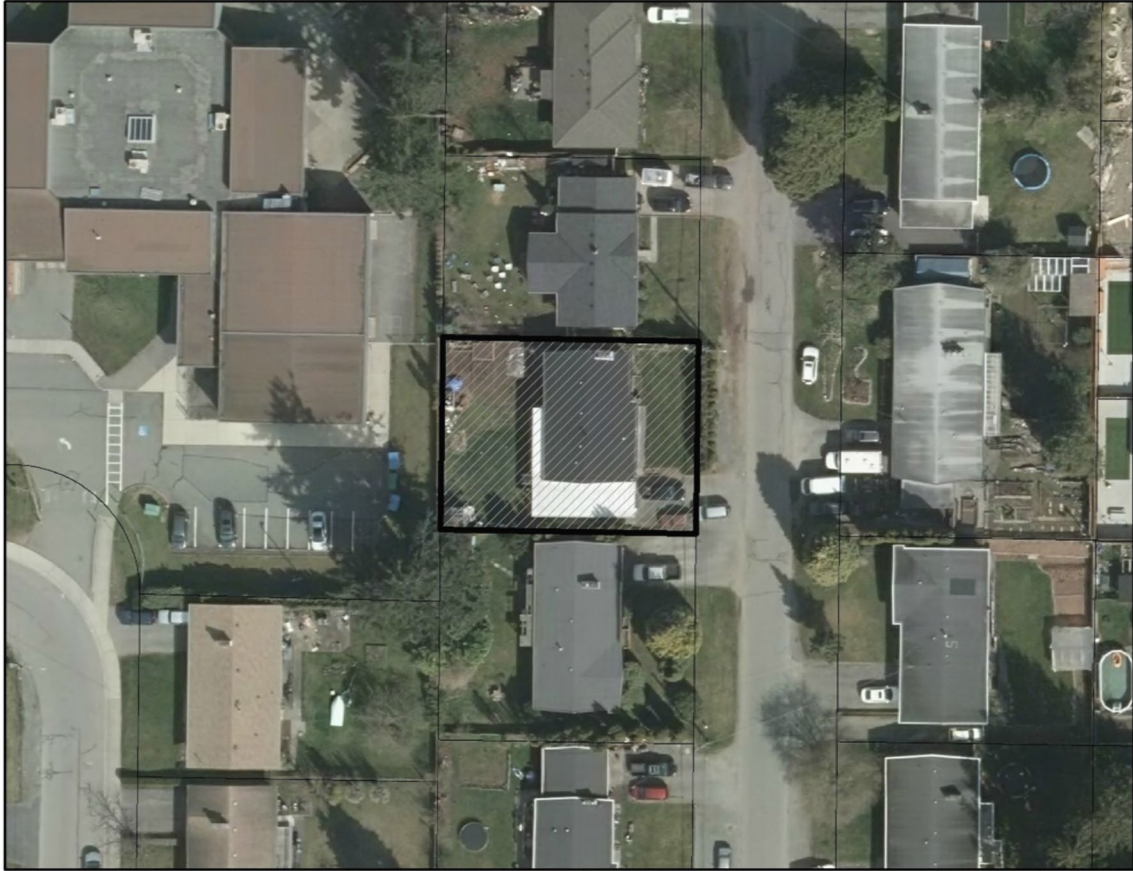
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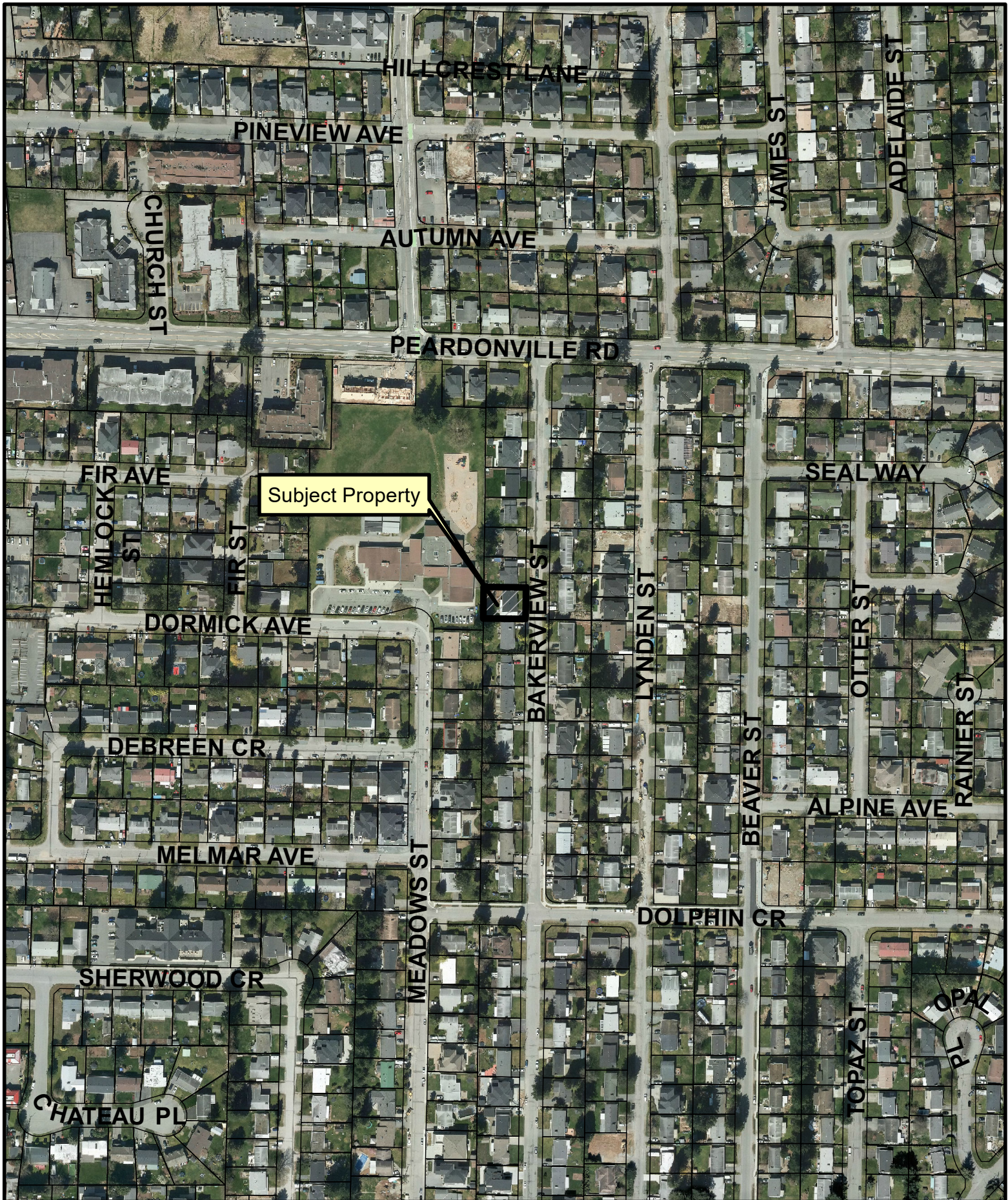
Council Figures

Attachment A: Draft Bylaw No. 3340-2023 Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 492

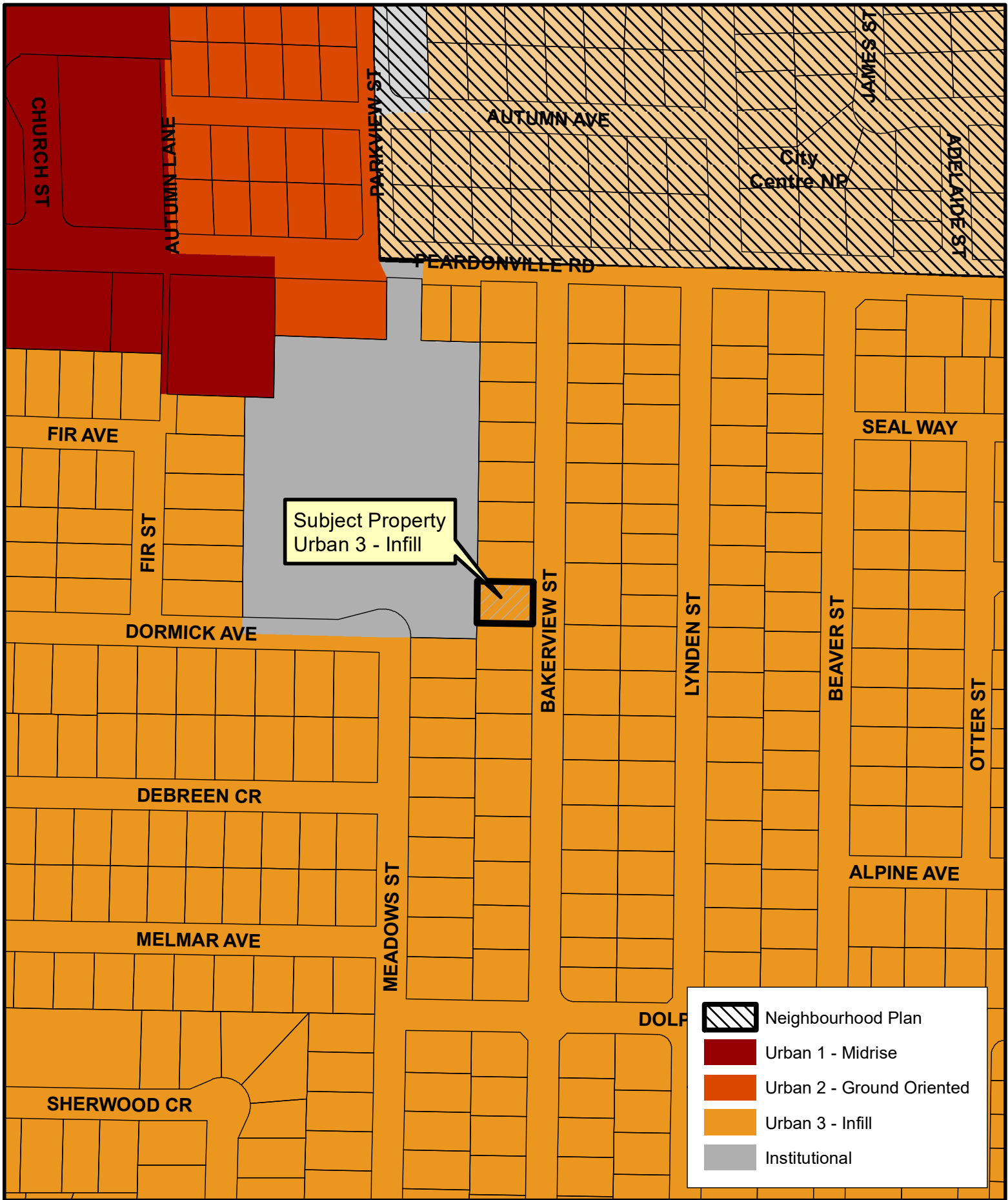
Attachment B: Works and Services Report

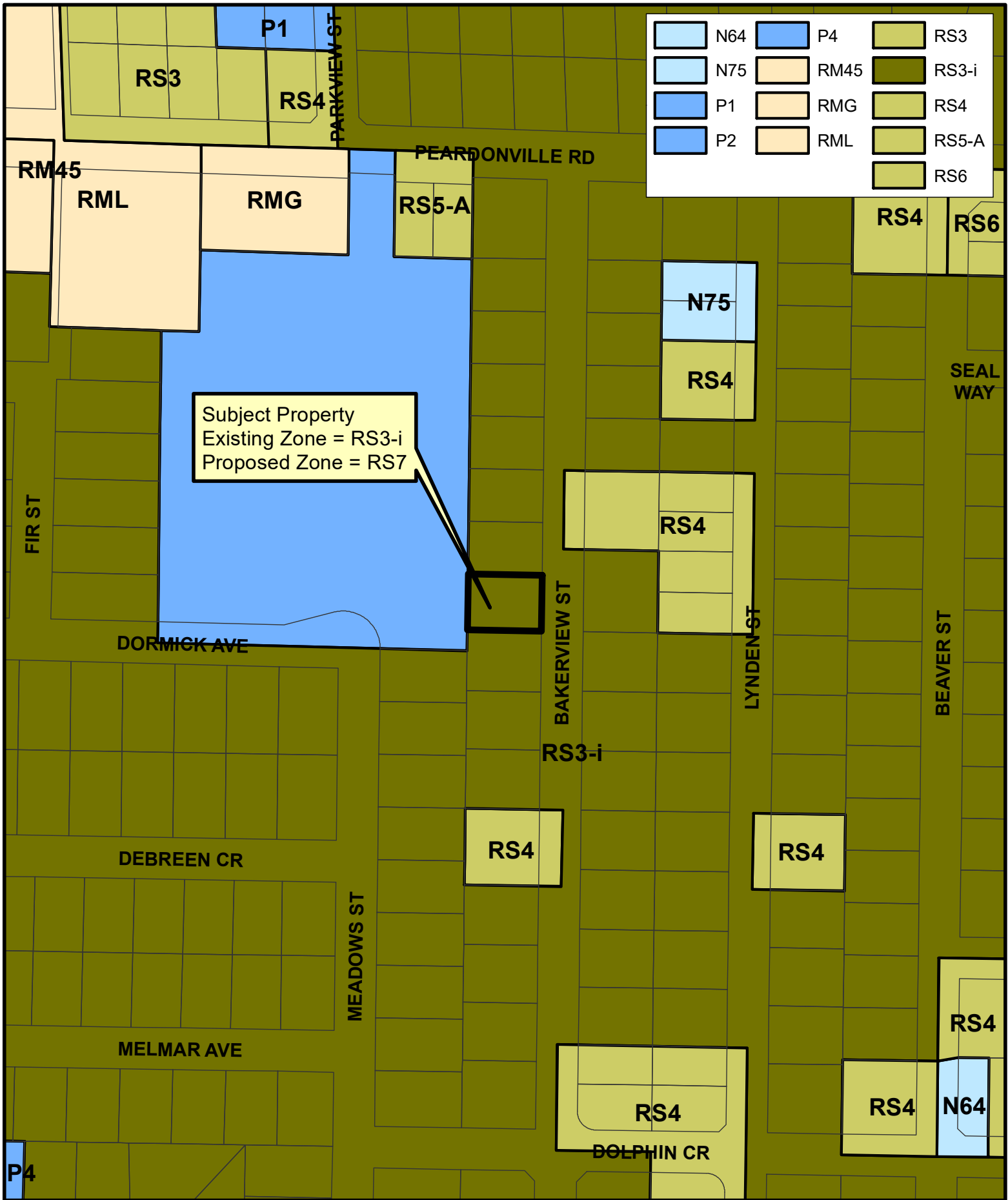
City Context Plan
File: PRJ1-119 Location: 2309 Bakerview Street

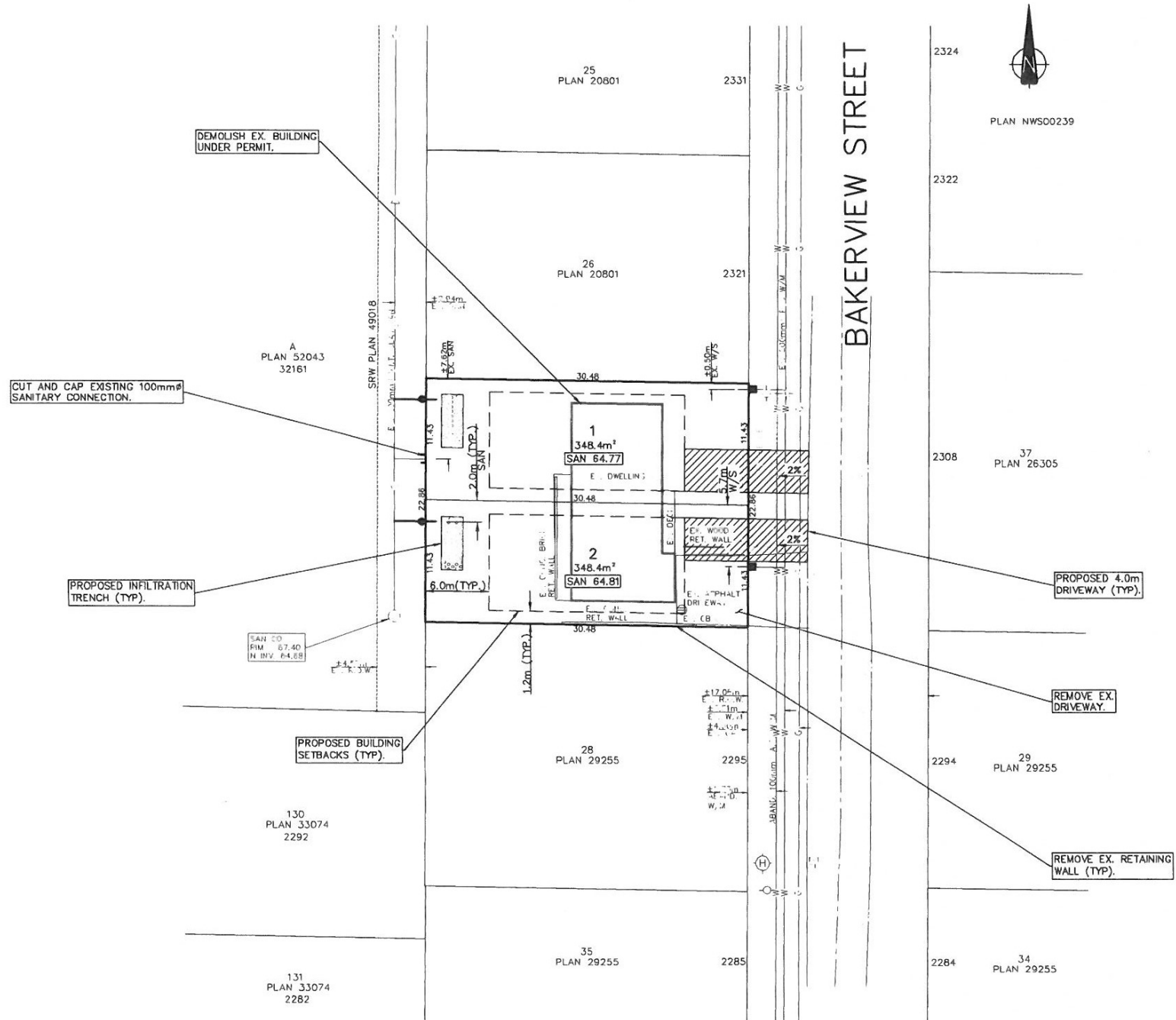












CITY OF ABBOTSFORD

ABBOTSFORD ZONING BYLAW, 2014, AMENDMENT BYLAW NO. 492

Bylaw No. 3340-2023

PRJ21-119

The Council of the City of Abbotsford, in open meeting assembled, enacts as follows:

1. CITATION

Bylaw No. 3340-2023 may be cited as “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 492”.

2. AMENDS ZONING MAPS

Abbotsford Zoning Bylaw, 2014, Schedule “D”, Urban Area Zoning, as amended, is further amended by changing the zoning of the lands as set out in the attached Appendix “A” and located at 2309 Bakerview Street:

From: Urban Residential Zone, Infill (RS3-i)

To: Infill Residential Zone (RS7)

READ A FIRST TIME this	day of	, 2023
READ A SECOND TIME this	day of	, 2023
PUBLIC HEARING HELD this	day of	, 2023
READ A THIRD TIME this	day of	, 2023
APPROVED by the Minister of Transportation and Infrastructure this	day of	, 2023
ADOPTED this	day of	, 2023

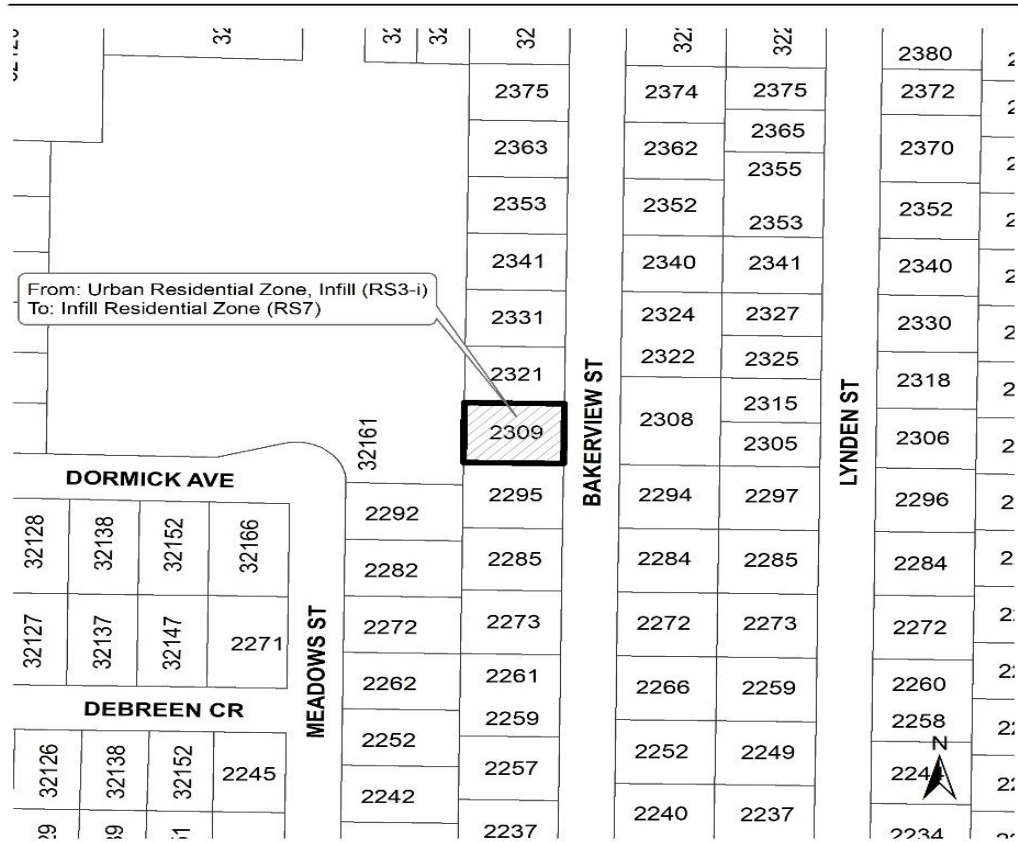
CITY OF ABBOTSFORD

ABBOTSFORD ZONING BYLAW, 2014, AMENDMENT BYLAW NO. 492

Bylaw No. 3340-2023

PRJ21-119

APPENDIX "A"



REZONING WORKS AND SERVICES REQUIREMENTS

File No:	PRJ21-119
Planner:	Allan Campeau, Planner
Prepared By:	Stanley de Haan, Development Technologist II
Approved By:	 21/11/21 Sarb Toor, Senior Manager, Development Engineering
Date:	October 22, 2021
Applicant:	Dapinder Sandhu
Development Property:	2309 Bakerview Street

The Local Government Act authorizes local governments to require development to meet current works and services standards as set out in the City's Development Bylaw and Policies.

This report includes the Works & Services **Requirements** to meet the applicable bylaws and policies and **Future Considerations** that may apply to the next phase of development.

Please have your consulting engineer call Stanley de Haan, Development Technologist II at 604-851-4175 in regard to this report and any other servicing matters relating to this application.

REQUIREMENTS

Additional dedications, SRWs, works, features or limits of construction may be needed as identified through the design and construction phases.

Drainage Collection and Disposal

Provide a storm water management plan showing how onsite drainage will be accommodated through onsite infiltration for the 1 in 100-year event. If onsite infiltration is feasible, a cash-in-lieu payment for drainage improvements along the full frontage of the Lands in the amount of \$9,140 (\$800/lineal meter x 22.85m x 50%) will be required. If onsite infiltration is not feasible, provide a storm water management plan showing how onsite drainage will be accommodated offsite. All offsite storm water works and services including new installations and upgrades to existing offsite systems required by the storm water management plan shall be designed and constructed in accordance with said storm water management plan.

The above noted works are not eligible for Latecomer Charges. (900-9-01)

Sewage Collection and Disposal

The proposed Lots shall be serviced to the 200 mm diameter sewer main running behind the property in a Right of Way. One of the lots could reuse the existing connection if the connection is found to be in good condition after sewer disconnect by Sewer Operations.

Each connection, reused or new, shall have an Inspection Chamber (IC) at the property line (PL).

The above noted works are not eligible for Latecomer Charges. (900-9-01)

Water Distribution Domestic and Fire Fighting – n/a

Highways – Dedications and Rights-of-Ways – n/a

Urban Roadways - Construction

On Bakerview Street, along the full frontage of the Lands from the south property line to the north property line, provide \$14,052.75 (\$615 x 22.85m) cash-in-lieu to construct half an Urban Single Family standard road with Urban Highway design features as per Standard Drawing ES-R-7, including;

- barrier curb and gutter on the west side;
- 9.0 m wide asphalt roadway;
- 1.5 m wide concrete sidewalk on the west side;
- LED street lighting;
- Traffic signage;
- Traffic lane markings;
- soil(s) to support street trees;
- boulevard improvements on the west side; and
- associated drainage.

The above noted works are not eligible for Latecomer Charges. (900-9-01)

Power/Telecommunications

Service Connection:

Provide underground power and telecommunications services from the distribution system to the property line.

Existing buildings that are not being renovated may utilize existing overhead power and telecommunications services

Pay the Streetscape Contribution Levy, as per the City of Abbotsford Development Bylaw 2011, Bylaw No. 2070-2011 Schedule "D".

Required Covenants, Easements and Rights-of-way

- Infiltration and/or Detention rights-of-way (PL-201)

City Services Fees

Tie-in inspection fee (\$50 per inspection) for water, sanitary, and storm sewer services.

Water meters supplied, delivered, and installed by the City's Water Operations Department (per Fees and Charges Bylaw, 2006, Amendment Bylaw No. 32)

Regular Service Meter:

- Up to and including 18mm (3/4") meter

\$470.00

Water and sewer main connections and wet taps are supervised and/or performed by City crews at the developer's expense and payable upon invoice.

Street and traffic signs are supplied and installed by the City at the developer's expense and payable upon invoice.

FUTURE CONSIDERATIONS

Upon further development an additional works and services review will apply related to that application. Listed below are some items to consider.

Bylaws

- the applicant is to be familiar with the Development Bylaw to ensure an understanding of possible future Works and services that may impact the development
- the applicant is to review the Works and Services identified in the Development Agreement and how they may impact the building.

Stormwater Management

- detention and infiltration will be required. Ensure that adequate room and proper placement has been reviewed.

Traffic Management

- the increase in vehicle traffic will be reviewed for its impact on the access and nearest intersections. Access may be restricted.
- road dedications, statutory rights-of-way and easements to accommodate the works and lot grading may require adjustments to the placement or size of the building.

Service Connections

- water, sanitary and storm connections may have specific tie in locations. Review and confirm locations prior to design.
- calculations related to the required domestic and fire water demand will be reviewed. There may be a service, meter or flow restrictions.
- Fire Department review may result in geometric changes to onsite roadways, additional fire hydrants, emergency access and building placement.
- Provide underground power and telecommunications services from the distribution system to the proposed building(s).

Lot Grading

- A Lot Grading Plan is required. Final lot grading shall conform to City's Lot Grading Policy and Guidelines. Any retaining walls that the Developer or Consulting Engineer consider are necessary to effectively grade the Lands to prevent negative impacts on finished neighbouring Lands, either existing or proposed, shall be constructed by the Developer. The standard "Lot Grading Covenant shall be registered against title to all proposed lots.
- Lot grading shall also provide for the collection of surface runoff and other drainage that will discharge to the City Drainage system. Lot grading may be designed to allow for surface sheet flows or collected in swales and directed to lawn basins as necessary to the satisfaction of the General Manager, Engineering. Any collection of surface flows to a concentrated point discharge location shall include provision for easements or rights-of-way across impacted Lands as necessary. All lot grading shall be designed to take care of surface flows emanating from onsite grading.

Building Permit Submissions

- In order to avoid delays in receipt of building permits, the builder shall be responsible for ensuring that building permit applications on the Lands conform to the intent of the accepted Lot Grading plan(s) prior to submission to the City.
- The developer or his designate shall review and approve building permit applications prior to submission to the City. When submitted, the building permit plans shall provide lot grading information that shall, at time of final inspection for building occupancy or approval, comply with the accepted lot grading plan or the intent of the lot grading design accepted by the General Manager, Engineering prior to construction.

Erosion and Sediment Control

All works shall be performed in substantial conformance with the City's Development By-law, the Provincial 'Land Development Guidelines' and the City's Erosion and Sediment Control Bylaw, in the control and prevention of erosion and sediment during all phases of construction. No release of silt, sediment laden waters or deleterious substances is permitted into any existing City storm or drainage system during any phase of development of the Lands.

The ESC Plan requires 4 drawings, each indicating the ESC methods for that stage of construction;

- site preparation
- site servicing
- building construction
- warranty period