



# VILLAGE OF ANMORE

## REPORT TO COUNCIL

Date: January 20, 2021 File No. 3360-20

Submitted by: Richard White, RWPAS Ltd.

Subject: Rezoning Proposal – 2307 Sunnyside Road – Third Reading & Adoption

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### Purpose / Introduction

This report is intended to update Council on the subject rezoning application and to propose that Council give final readings and adopt the Village of Anmore Zoning Amendment Bylaw No. 597 – 2019 that currently stands at 2nd reading, to enable this develop to proceed.

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### Recommended Option

**That Council give third reading and adopt Village of Anmore Zoning Amendment Bylaw No. 597 – 2019.**

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### Background

The Village of Anmore originally received the current rezoning proposal for this property in 2017. The proposal was discussed at the following meetings:

Date	Meeting	Description
September 19, 2017	Regular Council	Introduction to proposed rezoning
September 18, 2018	Regular Council	Revised plan presented to Council
October 22, 2018	Advisory Planning Commission	Referral of proposal by Council for comment ( <b>Attachment 1</b> )
December 10, 2018	Advisory Planning Commission	Review of requested Community Amenity Contribution analysis ( <b>Attachment 2</b> )
April 30, 2019	Regular Council	First and second reading
October 1, 2019	Regular Council	Receipt of requested environmental assessment
October 15, 2019	Public Hearing	Public opportunity for input on proposal ( <b>Attachment 3</b> )

## Report/Recommendation to Council

Rezoning Proposal – 2307 Sunnyside Road – Third Reading & Adoption

January 20, 2021

## Discussion

Since the public hearing was held in October 2019, staff have remained in communication with the proponent in an effort to secure the required legal documentation (i.e. covenants) and community amenity contribution (CAC) ahead of presenting the bylaw for consideration to Council for third reading and adoption. This follows the typical rezoning process for the Village. To date, there have been assurances made by the owner/application that the documents and CAC will be presented on multiple occasions, however nothing has been received by the Village at the time this report was prepared.

The owner/applicant has agreed to a covenant on title to ensure that homes will be built to a high environmental standard, Level 3 of the BC Energy Code as per Village of Anmore Policy No. 62 – Energy Step Code and Rezoning. The owner/applicant has also agreed to provide a CAC in the amount of \$495,000. Until such time as the Village has received these securities, it is not recommended that Council grant third and final readings of the bylaw.

## Other Options

- 1. That Council rescind first and second readings of Village of Anmore Zoning Amendment Bylaw No. 597 – 2019 and reject the application.**
- 2. That Council rescind second reading and refer the Village of Anmore Zoning Amendment Bylaw No. 597 – 2019 back to staff for changes to be brought back to Council for consideration.**

## Financial Implications

This rezoning application includes the offer of a community amenity charge of \$495,000 in cash.

## Communications / Civic Engagement

Decisions of Council will be forwarded to the proponent.

## Council Strategic Plan Objectives

A rezoning which includes smaller than one-acre lots aligns with Council's Strategic Objective to have sustainable housing opportunities and to practice environmental stewardship.


**Report/Recommendation to Council**

Rezoning Proposal – 2307 Sunnyside Road – Third Reading & Adoption

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**Attachments:**

1. 2018-10-22 Advisory Planning Commission Minutes
2. 2018-12-10 Advisory Planning Commission Minutes
3. 2019-10-15 Public Hearing Minutes
4. Village of Anmore Zoning Amendment Bylaw No. 597-2019

<b>Prepared by:</b>
 Richard White RWPAS Ltd.
<b>Reviewed for Form and Content / Approved for Submission to Council:</b>
<b>Chief Administrative Officer's Comment/Concurrence</b>  Chief Administrative Officer

**ADVISORY PLANNING COMMISSION – MINUTES**

Minutes of the Advisory Planning Commission Meeting held on  
Monday, October 22, 2018 in Council Chambers at  
Village Hall, 2697 Sunnyside Road, Anmore, BC

**MEMBERS PRESENT**

Denny Arsene  
Garnet Berg  
Wayne Keiser  
Julia Robertson  
Bruce Scatchard  
Olen Vanderleeden (arrived at 7:02 p.m.)

**MEMBERS ABSENT**

Steve Hawboldt

**OTHERS PRESENT**

Mayor John McEwen, Council Liaison  
Christine Baird, Manager of Corporate Services  
Jason Smith, Manager of Development Services

**1. Call to Order**

The Manager of Corporate Services called the meeting to order at 7:00 p.m.

**2. Approval of the Agenda**

It was MOVED and SECONDED:

**“THAT THE AGENDA BE APPROVED AS CIRCULATED.”**

**CARRIED UNANIMOUSLY**

**3. Minutes**

Nil

**4. Business arising from the Minutes**

Nil

**5. Unfinished Business**

Nil

**6. New Business**

(a) **Welcome and Introductions**

Mayor McEwen welcomed the members appointed for the new term, expiring January 31, 2020.

Members provided an introduction and brief overview of their history.

**(b) Functions of the Advisory Planning Commission**

Jason Smith presented an overview of the following.

- Establishment of the APC
- Mandate and Terms of Reference
- Roles and Responsibilities of the APC, Council, Council Liaison, Staff/Consultants
- Overview of Policy and Regulatory Framework, including:
  - Local Government Advisory Planning Commissions [Province of BC - Local Government Planning]
  - Advisory Planning Commission Bylaw
  - Advisory Planning Commission Terms of Reference
  - Procedure Bylaw (to Chair and Vice-Chair)
  - Financial Sustainability Plan
  - Official Community Plan
  - Parks Master Plan
  - Zoning Bylaw

**(c) Appointment of Chair and Vice-Chair**

It was MOVED and SECONDED:

**“THAT STEVE HAWBOLT BE APPOINTED AS CHAIR OF THE  
ADVISORY PLANNING COMMISSION;**

**AND THAT WAYNE KEISER BE APPOINTED AS VICE-CHAIR  
OF THE ADVISORY PLANNING COMMISSION.”**

**CARRIED UNANIMOUSLY**

**(d) Establish Meeting Schedule**

Members agreed to meet on the second Monday of each month, as required.

Mayor McEwen left the meeting at 7:25 p.m.

Christine Baird left the meeting at 7:26 p.m.

**(e) Rezoning Application for 3207 Sunnyside Road (Cordovado)**

Jason Smith presented the Report to Council dated September 12, 2018. The following points were highlighted during discussion:

- 19 lot development; single family homes; no coach houses; possibility for secondary suites
- Lot size range from ½ acre down to 1/3 acre
- Amenity package offer is 34% of the site as park, open space and trails
- All trails to be constructed at the time of subdivision to the standard in Parks Master Plan, at their cost
- Sunnyside runs over the property which dates back years ago; missed registering the right-of-way on title
- In addition to the 34%; developer will widen the road right-of-way for Sunnyside
- A member suggested to ensure to ask for whatever is envisioned, as the village will not be able to go back and request more
- A member suggested to clarify what size of land is the village actually seeking dedication for
- Proposing a \$493,500.00 Community Amenity Contribution towards a new village hall; based on the recommendation from G.P. Rollo & Associates reports
- Any rezoning application, other than Infill, a land economist to be hired to review the economics of it to ensure that the village gets a “fair shake” in terms of a “CAC” package
- 1<sup>st</sup> rezoning application where a CAC analysis was done
- Most communities negotiate for a target around 50% to come back to the public as a CAC charge
- Within the G.P. Rollo & Associates report, a member felt there was no supporting documentation on any of their evaluations
- A detailed proforma was done with a specific market analysis
- A member felt that the assessment was too vague for a such a specific dollar amount
- Members agreed to request to view the detailed proforma; to be fair to land owner, the village and future developers
- Land Lift analysis cost the developers \$5,000.00
- Currently, no replanting plan on existing green space; possibly replace with more stable trees prior to building homes
- More details around assumptions, vegetation management prior to development on the green space
- Possibly investigate the CAC’s received from Ravenswood development
- No infrastructure upgrades by the village are needed
- A member suggested that the \$493,500.00 be dedicated to general revenue as opposed to being tied towards a new village hall
- Ensure there is enough space to accommodate a minimum of 4 off street parking spots; specifically where suites are involved
- Will need to be sustainable for the developer

It was MOVED and SECONDED:

**“THAT THE APC REQUESTS THAT ADDITIONAL WORK AND INFORMATION BE PROVIDED WITH REGARDS TO THE FOLLOWING ISSUES; TO ENSURE THAT THE ROAD RIGHT-OF-WAY IS ADEQUATE TO FUTURE VILLAGE NEEDS; THAT THE PROFORMA UNDERLYING THE ROLLO REPORT BE BROUGHT BACK TO THE APC FOR REVIEW AND DISCUSSION; THAT WITH REGARD TO TREES, CONSIDERATION BE GIVEN TO THE DEVELOPMENT OF A VEGETATION MANAGEMENT PLAN TO ENSURE THAT ISSUES LIKE HEMLOCK AND REPLACING THEM WITH SUSTAINABLE TREES ARE ADDRESSED PRIOR TO THE COMMENCEMENT OF ACTUAL PHYSICAL DEVELOPMENT ON THE SITE; AND THAT STAFF REVIEW THE PARKING REQUIREMENTS AND SITE DESIGN TO ENSURE THAT ADEQUATE OFF STREET PARKING IS PROVIDED ON EACH LOT PROPOSED WITH CONSIDERATION FOR SECONDARY SUITES; AND THAT WE ENSURE THAT THE CUL-DE-SAC IS IN COMPLIANCE WITH THE 600 METER LIMIT IN THE WORKS AND SERVICES BYLAW.”**

**CARRIED UNANIMOUSLY**

**7. Adjournment**

It was MOVED and SECONDED:

**“TO ADJOURN.”**

**CARRIED UNANIMOUSLY**

The meeting adjourned at 8:39 p.m.

Certified Correct:

**C. MILLOY**

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Christine Milloy  
Manager of Corporate Services

Approved:

**S. HAWBOLT**

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Steve Hawbolt  
Chair, Advisory Planning Commission

**ADVISORY PLANNING COMMISSION – MINUTES**

Minutes of the Advisory Planning Commission Meeting held on Monday, December 10, 2018 at 7:00 p.m. in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC

**MEMBERS PRESENT**

Denny Arsene  
 Garnet Berg  
 Steve Hawboldt (Chair)  
 Wayne Keiser  
 Julia Robertson  
 Bruce Scatchard  
 Olen Vanderleeden

**MEMBERS ABSENT**

Nil

**OTHERS PRESENT**

Mayor John McEwen, Council Liaison  
 Jason Smith, Manager of Development Services

**1. Call to Order**

Chair Hawboldt called the meeting to order at 7:05 p.m.

**2. Approval of the Agenda**

It was MOVED and SECONDED:

**“THAT THE AGENDA BE APPROVED AS AMENDED.”**

**CARRIED UNANIMOUSLY**

**3. Minutes**

- (a) **Minutes of the Advisory Planning Commission meeting held on October 22, 2018**

It was MOVED and SECONDED:

**“THAT THE MINUTES OF THE ADVISORY PLANNING COMMISSION HELD ON OCTOBER 22, 2018 BE ADOPTED AS CIRCULATED.”**

**CARRIED UNANIMOUSLY**

- (b) **Minutes of the Advisory Planning Commission meeting held on October 16, 2017**



It was MOVED and SECONDED:

**“THAT THE MINUTES OF THE ADVISORY PLANNING COMMISSION HELD ON OCTOBER 16, 2017 BE ADOPTED AS CIRCULATED.”**

**CARRIED UNANIMOUSLY**

- (c) **Minutes of the Advisory Planning Commission meeting held on December 18, 2017**

It was MOVED and SECONDED:

**“THAT THE MINUTES OF THE ADVISORY PLANNING COMMISSION HELD ON DECEMBER 18, 2017 BE ADOPTED AS CIRCULATED.”**

**CARRIED UNANIMOUSLY**

**4. Business arising from the Minutes**

Nil

**5. Unfinished Business**

Nil

**6. New Business**

**(a) Rezoning Application for 2307 Sunnyside Road (Cordovado)**

Jason Smith provided electronic copies of the Community Amenity Charge analysis completed by GP Rollo and walked through the analysis (on screen) with the Commission. The following points were highlighted during discussion.

- Members requested at a previous meeting to review the Lift Analysis to explain how the CAC of \$493,500.00 was calculated
- Any future CD developments, a new requirement for any applicant at their cost, will be to hire an economist to evaluate the proposal to ensure the village and the public have a good sense on the numbers and reasonable target for a CAC's
- Not many CD developments have been done recently, the question is always: Did the village receive enough money?"
- G.P. Rollo are very highly regarded within other municipalities
- Want to ensure the village is receiving a fair amount in CAC's
- Intent was for G.P. Rollo to provide a target

- Individual analysis will be required from the applicant for any upcoming CD developments
- G.P. Rollo made assumptions around construction costs, revenue, DCC's which are fixed, tax breaks, various costs as well as development fees etc.
- Revenue assumptions for 1 acre - \$1.6 million, ½ acre – \$1.3 million, 1/3 acre - \$1 million to include water, road and septic
- Should not attach a dollar value to the 34% parks amenity
- Within the OCP, there is a requirement to provide at least 30% in parks amenity
- Developer is not required to pay for trails, however it is part of their proposal which is quite positive for the village
- Can make the trails a condition as part of rezoning
- Within the Parks Master Plan, it identifies what the village is looking for in trail connectivity
- All about connectivity with water, trails, and roads
- 50% CAC's is the lift percentage for the village
- For an increase in CD zones in the village, the current roads can take all the growth
- A member felt the calculated cost analysis was very defensible
- A members was happy with the straight forward analysis, felt that 50% is fair
- Cash amount of the CAC would be captured at the time of adoption of the rezoning
- Council would like the \$493,500.00 to go towards a new village hall and community centre
- Members felt good about the analysis and how it was done

It was MOVED and SECONDED:

**“TO SUPPORT THE PROPOSAL AS PRESENTED.”**

**CARRIED UNANIMOUSLY**

## 7. **Adjournment**

It was MOVED and SECONDED:

**“TO ADJOURN.”**

**CARRIED UNANIMOUSLY**

The meeting adjourned at 8:12 p.m.

Certified Correct:

**“JULI HALLIWELL”**

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Juli Halliwell  
Chief Administrative Officer

Approved:

**“STEVE HAWBOLDT”**

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Steve Hawboldt  
Chair, Advisory Planning Commission

## PUBLIC HEARING– MINUTES

Minutes for the Public Hearing scheduled for  
Tuesday, October 15, 2019 at 7:00 p.m. in Council Chambers at  
Village Hall, 2697 Sunnyside Road, Anmore, BC



### ELECTED OFFICIALS PRESENT

Mayor John McEwen (Chair)  
Councillor Polly Krier  
Councillor Tim Laidler  
Councillor Paul Weverink

### ABSENT

Councillor Kim Trowbridge

### OTHERS PRESENT

Juli Halliwell, CAO  
Karen Elrick, Manager of Corporate Services  
Jason Smith, Manager of Development Services

#### 1. Call to Order

The public hearing was called to order 7:00 p.m.

#### 2. Opening Statement by Chair – Mayor John McEwen

Mayor John McEwen read the public hearing statement which is included as Attachment 1 and forms part of these minutes.

The Corporate Officer confirmed that legislative requirements for notice of the each of the public hearings were met and that no written submissions were received for either public hearing.

#### 3. Presentation of Zoning Bylaw Amendment Bylaw No. 600-2019 (Zoning Bylaw Amendments)

Councillor Polly Krier excused herself from the public hearing for Zoning Bylaw Amendment Bylaw No. 600-2019 due to a conflict of interest.

Mr. Smith overview of proposed amendments to the Zoning Bylaw which include:

- Siting exceptions – projections
- Off street parking and front yard setbacks
- Garages and coach houses
- Accessible parking space P-1 Civic Institutional Zone
- Construction equipment and large vehicles on double fronting lots

a. **Comments from public**

Bruce Scatchard, Anmore, spoke regarding the 2017 revision to the Zoning Bylaw which increased the allowable dwelling area of a coach house but included garage area in the calculation of allowable area resulting in reduction of allowable building size. Staff reported that inclusion of the garage area was to address concerns regarding persons who have unlawfully finished garage space. Mr. Scatchard does not agree with this approach which restricts all residents as a strategy for bylaw enforcement for those who unlawfully convert garage space to living space.

Leigh Scatchard, Anmore, spoke regarding her concerns that a one acre lot would allow for construction of a house greater than 10,000 square feet including below grade with a garage of 968 square feet or an addition of 5,000 square feet to the principal residence but only a 150 square meter (approx. 1,600 sq. feet –sic) accessory building, including garage is permitted. Ms. Scatchard expressed concern with challenges related to aging in place and additional requirements such as wider doors, railings, sheltered accessible parking, and different use of space to meet unexpected challenges would not result in needing less space to meet these requirements. Ms. Scatchard expressed her view that Anmore aggressively restricts construction of coach house buildings.

Doug Richardson, Anmore, provided comments regarding the 2017 effort to expand coach houses resulted in the shrinking of accessory buildings. Mr. Richardson expressed his view that restrictions are being used as bylaw enforcement and punishing everyone for the few that have building infractions. Mr. Richardson expressed concern regarding below grade area definition. Mr. Richardson expressed concern regarding the East Road and Leggett Drive front and back definitions and his view that this change punishes other people for a particular infraction by Cllr. Krier's house. Mr. Richardson disagrees with creation of a bylaw to address one situation and if screening requirements are changed then they should apply to all residents. Mr. Richardson expressed his view that the proposed changes are not minor as described.

Mayor McEwen called for speakers for the 2<sup>nd</sup> time:

Bruce Scatchard, Anmore, noted that the current zoning bylaw defines floor area and excludes below grade floor area and expressed concern that the new change clarifies the definition includes below grade floor area, but is concerned how the Village is administering the interpretation of the definition now and how that creates liability for the Village.

Doug Richardson, Anmore, expressed his belief that below grade area is now included in principal buildings.

Mayor McEwen called for speakers for the 3<sup>rd</sup> and final time and seeing none, closed the public hearing for Zoning Bylaw Amendment Bylaw 600-2019 at 7:15 p.m.

Councillor Krier returned to the meeting at 7:15 p.m.

**4. Presentation of Zoning Bylaw Amendment Bylaw No. 597-2019 (Cordovado)**

Mr. Jason Smith, Manager of Development Services, provided an overview of the Zoning Bylaw amendment for the proposed comprehensive development zone on the 13.41 acre site currently zoned RS-1. The proposed project would comprise of a 19 lot subdivision. The developer has offered a series of community amenities as part of the proposal including a road dedication for the portion of Sunnyside Road that has been determined encroach on private lands, construction of a trail network, construction to energy step code 3 standards, and a community amenity contribution of \$493,000.

**a. Comments from public**

Doug Richardson, Anmore, expressed concern regarding if there is a tree management plan applied to this rezoning he can't find in the notes or attachments for this meeting. Mr. Richardson believes that there was no requirement for a tree management bylaw for this proposal based on second hand information that he received from the Advisory Planning Commission meeting. Mr. Richardson cited tree retention requirements in the Village of Anmore Tree Management Bylaw 587-2018 and expressed concern regarding tree retention at Bella Terra development and does not want that to happen at Cordovado.

Mayor McEwen called speakers for the second time:

Tony Spring, Anmore, spoke regarding road access as he lives on Sunnyside and he would prefer the roadway to come in further south closer to First Avenue.

Linda Weinberg, Anmore spoke regarding septic fields for 1/3 acre lots and her assumption that they will all be engineered fields but expressed concern that as small lots with septic fields are developed the Village would get closer to connections to a sewer system which would be expensive and change the nature of the Village. Ms. Weinberg urged caution with the number of small septic fields allowed in the Village.

Stephane Mitchell, Anmore, spoke regarding his concern of buffer and distance from his property to the roadway into the development and is requesting that he would like to see the layout and what the roadway will look like.

Doug Richardson, Anmore, spoke regarding his concern that if this development was developed as RS-1 with 10-11 lots rather than the additional 8-19 lots under the proposed comprehensive development zone the community amenity contribution would be 1.2 – 1.3 million and expressed his view that the community amenity contributions should be at least 1.2 million for this development.

5. **Close of Public Hearing**

Mayor McEwen called for speakers for the third and final time and seeing none declared the public hearing closed at 7:25 p.m.

"Karen Elrick"

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Karen Elrick  
Corporate Officer

"John McEwen"

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John McEwen  
Mayor

**VILLAGE OF ANMORE**

**BYLAW NO. 597-2019**

A bylaw to amend the Village of Anmore Zoning Bylaw No. 568-2017

**WHEREAS** the *Local Government Act* authorizes a municipality to amend its zoning bylaw from time to time;

**NOW THEREFORE** the Municipal Council of the Village of Anmore, in open meeting assembled, enacts as follows:

- 1) That this bylaw may be cited for all purposes as “Village of Anmore Zoning Amendment Bylaw No. 597-2019”.
- 2) That Village of Anmore Zoning Bylaw No. 568- 2017 be amended by adding the text and map included in Schedule A which forms part of this bylaw.
- 3) That the Village of Anmore Zoning Bylaw No. 568-2017 Schedule ‘A’ Zoning Map be amended to change the zoning for 2307 Sunnyside Road from Residential 1 to Comprehensive Development (CD-7)

<b>READ</b> a first time the	30 day of April, 2019
<b>READ</b> a second time the	30 day of April, 2019
<b>PUBLIC HEARING HELD</b> the	15th day of October, 2019
<b>READ</b> a third time the	day of, 2019
<b>ADOPTED</b> the	day of, 2019

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MAYOR

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MANAGER OF CORPORATE SERVICES

## Schedule A

### 9.17 COMPREHENSIVE DEVELOPMENT 7 (CORDOVADO) – CD-7

#### 9.17.1 Purpose

The intent of this **zone** is to accommodate a **residential subdivision** that clusters **one-family dwellings** on a variety of **parcel** sizes to preserve public open space and ecologically sensitive areas where one-family **residential** housing is the **principal use**.

#### 9.17.2 Permitted Uses, Minimum Parcel Dimensions and Maximum Parcel Number

Permitted Uses	Minimum Parcel Size	Maximum No. of Parcels
One-Family Dwelling	2,023 m <sup>2</sup>	5
	1,349 m <sup>2</sup>	14
Home Occupation	n/a	n/a
Bed and Breakfast	n/a	n/a
Secondary Suite	n/a	n/a
Accessory Uses	n/a	n/a

#### 9.17.3 Maximum Number of Buildings, Size and Height

Permitted Use by Parcel Size	Maximum Number	Maximum Size	Maximum Building Height
Principal Building:			
2,023 m <sup>2</sup>	1	0.28 FAR	10 m
1,349 m <sup>2</sup>	1	0.30 FAR	10 m
Accessory Buildings and Structures	1	45 m <sup>2</sup>	7 m



### 9.17.4 Minimum Building Setbacks

Permitted Use	Front Parcel Line Setback	Rear Parcel Line Setback	Exterior Side Parcel Line Setback	Interior Side Parcel Line Setback
Principal Buildings on Parcels 9 to 22, and 27 as Shown on the Attached Comprehensive Development Plan	7.6 m	7.6 m	5.0 m	5 m
Accessory Building and Structure	7.6 m	7.6 m	5 m	5 m

### 9.17.5 Off-Street Parking

- (a) **Off-street parking spaces** shall be provided on the same **parcel** as the **use** being served in accordance with the following requirements:
- (i) 2 spaces per **one-family dwelling**; and
  - (ii) 1 space per employee for **home occupation**; and
  - (iii) 1 space per bedroom intended for **use** by a **bed and breakfast** guest; and
  - (iv) 2 spaces per **secondary suite**.

### 9.17.6 Maximum Parcel Coverage

The maximum **parcel coverage** shall be 20% per **parcel**.

### 9.17.7 Maximum Number of Parcels

The maximum number of **parcels** created by **subdivision** shall be 19.

### 9.17.9 Open Space Amenity

An **open space amenity** shall be provided generally in accordance with the attached Comprehensive Development Plan.

### 9.17.11 Other Regulations

- (a) All permitted **land uses** shall be connected to community services in accordance with the *Anmore Works and Services Bylaw*.
- (b) **Home occupation** shall be subject to the requirements of section 6.5.
- (c) **Bed and breakfast** shall be subject to the requirements of section 6.6.

### 9.17.12 Comprehensive Development Plan

The Comprehensive Development Plan contained within this Bylaw forms an integral component of this **zone**.

