

Council Report No. PDS 150-2025

Date: July 15, 2025

File No. 3100-05/ PRJ20-108

To: Mayor and Council
From: Tahir Ahmed, Senior Planner
Subject: Rezoning, Steep Slope and Natural Environment Development Permit with Variance application (35922, 35944, 35970, 36070, 36138, 36160 and Lot 17 (009-642-846) McKee Road)

RECOMMENDATION

1. That Bylaw No. 3761-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 707”, be given first, second and third readings; and
2. That prior to adoption of Bylaw No. 3761-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 707”, the following conditions be satisfied:
 - a. entering into a Development Agreement and/or providing cash-in-lieu payments to secure the required road and utility upgrades and extensions, in accordance with Development Bylaw, 2022 as detailed in the Works and Services Report;
 - b. providing a road dedication of approximately 7.0 m along McKee Road, along the portion of frontage of the subject lands in accordance with Development Bylaw;
 - c. providing a finalized Traffic Impact Assessment to the satisfaction of the General Manager, Engineering and Regional Utilities and securing for the recommendations within the required development agreement;
 - d. registering a Section 219 Covenant on the title of subject properties, limiting the residential density to a maximum of two units per lot for future properties less than 540 m² in area;
 - e. providing a cash-in-lieu contribution of \$200,000 for future signalization of the McKee Road and the new Road A;
 - f. securing a site for the future elementary school, as required by the McKee Neighbourhood Plan;
 - g. providing a Community Benefit Contribution of \$187,500 for future transit, cycling, park infrastructure and affordable housing initiatives; and
 - h. resolving all issues of funding for items not budgeted by the City.
3. That Development Variance Permit No. 2549 be Approved in Principle; and
4. That prior to the issuance of Development Variance Permit No. 2549 the following conditions be satisfied:
 - a. revising the habitat restoration, enhancement, and mitigation plan to comply with the Development Permit Guidelines as highlighted within this report;
 - b. providing a security deposit for habitat enhancement, mitigation, monitoring and permanent fence installation, prepared by a qualified professional and to the acceptance of the Director,

Development Planning, in accordance with the Development Application Procedures Bylaw, 2016;

- c. providing an environmental inspection fee, in accordance with the Development Application and Service Fee Bylaw, 2010;
- d. submitting and obtaining approval of an Erosion and Sediment Control Plan prepared by a qualified Civil Engineer;
- e. providing a security for erosion and sediment control in accordance with the Development Application Procedures Bylaw, 2016;
- f. providing an inspection fee for erosion and sediment control in accordance with the Development Application Procedures Bylaw, 2016;
- g. submission of a Planting Plan and Construction Environmental Management Plan (CEMP) prepared by a Qualified Environmental Professional;
- h. registering a Section 219 Covenant against the title of the subject property for Protection of the Streamside Protection and Enhancement Area as generally highlighted in Figure 8 of this report;
- i. registering a Section 219 Covenant to ensure site clearing, grading and future construction is completed and inspected in accordance with the recommendations outlined in the Geotechnical Investigation Report dated June 5, 2025, and any amendments thereto;
- j. installing the temporary protective fencing along the Streamside Protection and Enhancement Area;
- k. providing three sets of signed, sealed development variance permit plans and reports;
- l. providing unsecured electronic copies of all final plans and reports; and
- m. the owners providing written acknowledgment of the terms and conditions of the development variance permit in accordance with the Development Application Procedures Bylaw, 2016.

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 rezone the subject properties from Rural Residential Zone (RR) to Park, Open Space and School Zone (P2), Compact Lot Residential Zone (RS6) and Multifamily Ground Oriented Zone (RMG) to develop a total of 108 single detached lots, 192 townhouses and four rural residential lots with approximately 4.07 ha of P2 land for Open Space and 1.31 ha of P2 lands for future parks.

Also, to consider a Natural Environment Development Permit with Variance to the Streamside Protection Bylaw (SPB) for a 21,005 m² reduction to the Streamside Protection and Enhancement Area (SPEA). Refer to Council Figures and Attachments A to G.

SUMMARY OF THE ISSUE

The applicant is proposing to rezone the subject properties from Rural Residential Zone (RR) to the following zones:

- Park, Open Space and School Zone (P2);

- Compact Lot Residential Zone (RS6); and
- Multifamily Ground Oriented Zone (RMG).

The applicant is proposing to develop the subject properties to accommodate a variety of housing forms with open space. The proposal includes 5.38 ha area for open space and parks, accounting for 22.6 percent of the subject lands, to be transferred to the City, 108 single detached lots, approximately 192 townhouse units and four rural residential lots.

The proposal also includes the consideration of a Steep Slope and Natural Environment Development Permit with Variance to Streamside Protection Bylaw to reduce the SPEA to no less than the Riparian Area Protection Regulations (RAPR) requirements. The proposed variance of 21,005 m² will be offset by an area meeting a 2:1 compensation ratio.

Staff support the proposed rezoning to facilitate the development of 108 single detached lots, approximately 192 townhouse units and four rural residential lots. Staff also support the Natural Environment Steep Slope Development Permit with Variance to the SPB to reduce the SPEA given the proposed habitat compensation and restoration shall comply with the Development Permit Guidelines for enhancement prior to issuance.

BACKGROUND

Applicant:	Morningstar Homes Ltd. (Craig Simms)
Owners:	A. J. Venier, M. L. Venier, A. R. Ferrario, R. R. Ferrario, A. Wall, Retire West Communities Ltd, Polygon Development 364 Ltd, Polygon Development 370 Ltd, Morningstar McKee Holdings Ltd.
	For Director's information please see Corporate Summary (Attachment H)
Legal Descriptions:	Lot 17 Except: Part Road on Plan LMP19735, Sections 25 and 30 Townships 16 and 19 New Westminster District Plan 11997; East Half Lot 6 Section 30 Township 19 New Westminster District Plan 11997; West Half Lot 6 Except Portions in Plan LMP27351 Section 30 Township 19 New Westminster District Plan 11997; Lot 5 Except Part in Plan LMP27353 Section 30 Township 19 New Westminster District Plan 11997; Lot 24 Section 25 Township 16 New Westminster District Plan 34702; Lot 23 Section 25 Township 16 New Westminster District Plan 34702; and Lot 22 Section 25 Township 16 New Westminster District Plan 34702.
OCP Designation:	Urban 4 – Detached and Urban 2 – Ground Oriented
Existing Zoning:	Rural Residential (RR)
Proposed Zoning:	Park, Open Space and School Zone (P2); Compact Lot Residential Zone (RS6); and Multifamily Ground Oriented Zone (RMG).
Site Area:	23.75 ha (58.69 ac)

Site Description: The subject site comprises seven rural residential lots located on the south side of McKee Road, directly across from Ledgeview Golf Club, within the McKee Neighbourhood Plan area. The site includes a few houses and associated structures, and is otherwise largely vacant. A portion of the site was previously used as a Christmas tree farm. The property features areas with slopes exceeding 40%, and several watercourses bisect the site diagonally from northeast to southwest.

Surrounding Uses:

- N McKee Road, Ledgeview Golf Club, zoned Golf Course Zone (CGC) and designated as Open Space;
- S Rural lands zoned Rural Residential (RR), designated Open Space, Urban 4 – Detached and Urban 2- Ground Oriented;
- E Rural lands zoned Rural Residential (RR), designated Open Space, Urban 4 – Detached and Urban 2- Ground Oriented; and
- W Rural lands zoned Rural Residential (RR), designated Open Space and Urban 4 – Detached.

DISCUSSION

Context

1. The subject site consists of seven rural residential lots on the south side of McKee Road, across from Ledgeview Golf Club, within the McKee Neighbourhood Plan area. It contains a few dwellings and structures, with the remainder largely vacant. Part of the site was formerly a Christmas tree farm. The property contains steep slopes and several diagonal watercourses. The surrounding area to the east and south consists primarily of rural properties designated Urban 4 – Detached and Urban 2 – Ground Oriented in the McKee Neighbourhood Plan (MNP). To the west, the area is predominantly developed with single detached homes. The site is located near Clayburn Creek Park to the east and Straiton Park to the west. The school catchments for the subject lands are as follows:

Table 1: Catchment Schools

School Type	Catchment School
Elementary School:	Prince Charles Elementary
Middle School:	Clayburn Middle School
Secondary School:	Robert Bateman Secondary School

Official Community Plan / McKee Neighbourhood Plan

2. As per the OCP, the subject site is located within McKee Neighbourhood Plan (MNP) area and is designated Open Space, Urban 4 – Detached and Urban 2 – Ground Oriented. Part of which is also identified as a Geotechnical Risk Area (Figures 3 and 3a).

3. The Open Space land use designation intends to provide a mix of active and passive parks, trails, recreational amenities, and preserved natural areas including steep slopes, sensitive habitats, and streams protected through land trusts, covenants, or zoning.
4. A major portion of the site is designated as Urban 4 – Detached under the MNP. The purpose of the Urban 4 – Detached land use is to enable low density single detached housing in neighbourhoods. Single detached dwellings with accessory units. Some ground oriented duplexes are permitted in this land use designation. Densities up to 25 units per hectare (uph) are permitted, while sites over 1 ha may incorporate ground oriented buildings up to three storeys in height (commonly known as Townhouses) as long as the density is within 25 uph range.
5. Urban 2 – Ground Oriented land use enables multifamily housing to support development in challenging topography and to encourage increased density in proximity to essential services and recreation. The built form comprises ground-oriented multiplex, duplex, row and townhouses. Building heights are limited to 3 storeys. Under the McKee Neighbourhood Plan (MNP), large sites (1 ha or greater) are not permitted to accommodate apartment buildings, unlike other areas designated Urban 2 in the OCP, where such sites may support four-storey apartments.
6. The McKee Neighbourhood Plan (MNP) identifies portions of the subject lands as geotechnical risk areas. In these areas the underlying land use designation is permitted to proceed where lands are confirmed suitable for development. Where the land is not suitable for development, particularly where slopes exceed 40%, the MNP establishes an Open Space land use designation. The applicant has submitted a Geotechnical Investigation Report confirming that appropriate consideration has been given to areas with slopes greater than 40%, and those areas are proposed to be designated as open space.
7. As per the McKee Neighbourhood Plan (MNP), overall density is to be calculated based on net land area. This accounts for geotechnical constraints, watercourses and riparian areas, habitat for wildlife and species at risk, as well as archaeological and cultural heritage features. For clarity, net land area includes parkland dedication, public road dedication, and land required for public infrastructure.
8. The proposal includes developing a total of 108 single detached lots and approximately 192 townhouse units with approximately 4.07 ha of P2 land for Open Space and 1.31 ha of P2 lands for parks to be transferred to the City (see Figure 7).
9. The following table provides a summary of the densities provided by the MNP.

Table 2: Density Calculations

Land Use Designation	Net Area (ha)	Maximum Density Permitted	Maximum Density Permitted (Units / Floor Area)	Proposed Density*
Urban 4 – Detached	10.03	25 units per hectare	251 units	248 units (108 Single Detached, 140 Townhouses)
Urban 2 – Ground Oriented	1.62	0.5 to 1.5 FSR	24,300 m ² of Floor Area	8,120 m ² (52 Townhouses at 0.5 FSR)

*Floor Area and number of units are estimated based on the Development Permit application under review by staff.

10. The proposed development further meets the intent of the broader objectives and vision of

the OCP the MNP, as follows:

- Support diverse housing types for a variety of household sizes, incomes, tenures, and preferences (2.1); and
 - Support mixed affordable housing options which can serve as mortgage helpers for owners while providing affordable options for renters or extended family members (2.2).
11. The rezoning to facilitate the development of 108 single detached lots, approximately 192 townhouse units, and four rural residential lots, along with the dedication of approximately 5.38 hectares of land for parks and open spaces is consistent with the land use designations, density provisions, and the broader objectives of the McKee Neighbourhood Plan (MNP).

Abbotsford 2050 (Land Use Designations and Zoning)

12. The OCP is currently at Stage 3 - Prepare New Policy, with the last Stage - Adopt New Policy expected to be completed at the end of 2025. Abbotsford 2050 - Stage 3 Draft Policy and Regulation Report was received by Council on May 13, 2025, which directed staff to undertake community engagement on the draft OCP and Zoning Bylaw changes.
13. Under the draft policy, the portion of the site currently designated Urban 4 – Detached is proposed to transition to Small Scale Multi-Unit Housing 2 (SSMUH 2), while the Urban 2 – Ground Oriented area is being designated Townhouse. There are no changes to the existing zoning of the subject properties. Should the OCP be updated in accordance with the draft presented to Council on May 13, 2025, the proposal would remain consistent with the proposed changes.
14. Staff note that, as this rezoning application is being considered under the current OCP framework, it is anticipated that transition policies to support this and other similar in-stream applications will be addressed during the finalization of the updated OCP Bylaw.

Zoning

15. The subject properties are currently zoned Rural Residential (RR). The applicant proposes to rezone the site to the following zones:
- Park, Open Space and School Zone (P2)
 - Compact Lot Residential Zone (RS6)
 - Multifamily Ground Oriented Zone (RMG)
16. The proposed rezoning will facilitate the development of 108 single detached lots, 192 townhouses and approximately 5.38 hectares of P2 land to be dedicated to the City with a future subdivision (see Figure 4). The southern portion of the subject lands will remain Rural Residential to keep the existing estate lots. All of the single detached lots (zoned RS6) are located along proposed dedicated Road A and Road B. The townhouses are proposed in two clusters, one in the eastern portion of the site comprising an estimated 52 units, and another in the western portion along McKee Road, comprising 140 units.
17. The RS6 and RMG Zone fully align with the Urban 4 – Detached and Urban 2 – Ground Oriented land use designations and comply with the density provisions of the MNP therefore, staff support the proposed rezoning.

New Housing Regulations and Secondary Suites

18. In November 2023, the Provincial Government passed legislation requiring municipalities to update their Zoning Bylaws to permit “*Small-Scale Multi-Unit Housing*” (SSMUH) in residential areas. In response to the Province’s requirements, Council adopted Zoning Bylaw amendments, that permitted secondary suites more broadly and up to four units on lots within the Urban Development Boundary zoned to allow single detached dwellings and/or duplexes.
19. During consultation on the proposed SSMUH regulations, the City contemplated increasing the minimum lot size for new development to ensure that future residential lots were of a sufficient size to accommodate four units, including the associated parking, while maintaining alignment with the general land uses of the OCP and the density and population expectations of the City’s servicing masterplans.
20. Through engagement, there was a strong desire from the community and development industry to retain existing subdivision permissions to accommodate small lot single detached development. Subsequently, the minimum lot size was not increased and instead through the development process a detailed assessment of the proposal and the achievable density would be completed for consistency with the City’s broader growth and servicing policies.
21. The Urban 4 - Detached land use designation supports the proposed rezoning application to accommodate the proposed 108 lot subdivision. In general, however, when small lots are combined with the SSMUH permission of four units per lot, this proposal can result in a density that exceeds those contemplated by the OCP and more importantly the City’s servicing masterplans. To offset a servicing impact and to proceed with the development as proposed, the applicant has volunteered to register a Section 219 Covenant on title of the subject property. This covenant will limit the permitted density for any future lot with an area less than 540 m² to a maximum of two units (i.e. a single detached residence with a secondary suite).
22. Staff supports the proposed development subject to the registration of the Covenant as this ensures future development aligns with the City’s density expectations as highlighted within the existing servicing masterplans.

Affordable Housing Strategy

23. 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.

Natural Environment Development Permit (NEDP)

24. The proposed development is located within a Natural Environment Development Permit (NEDP) area (Figure 5). The objectives of the NEDP are to allow land to be used for its intended purposes, while also protecting, species at risk, prevent the introduction and spread of invasive species, and protect water quality and quantity. The terms and conditions of the subject NEDP have been incorporated into DP No. 2549.
25. According to the Fish Habitat Assessment and Wildlife Habitat Report, prepared by BlueLines Environmental Ltd. dated June 23, 2025 (Attachment C), the subject site contains two

drainage catchments of the Clayburn Creek watershed, separated by an onsite ridge. A total of three watercourses are present at or near the site. Generally, these watercourses are fed by springs and seepages which are common in hillside areas where the underlying soils are sandstone such as they are here.

26. As per the Fish Habitat Assessment and Wildlife Habitat Report, the west tributary originates near the 200 m contour from springs located further westward and shows signs of historical modification, including deepened channels and windrows. Based on fish distribution records and access barriers, this watercourse is classified as non-fish bearing with permanent flows.
27. The central watercourse begins at a similar elevation and drains northeast, crossing under McKee Road near the site's northeast boundary. It is also non-fish bearing with permanent flows. The third tributary crosses the northeast corner of the site within a gully before joining the central tributary at McKee Road. It shares the same classification: non-fish bearing with permanent flows.
28. The project design has considered the NEDP objective of utilizing the mitigation hierarchy of avoid, mitigate, and compensate to improve the integrity, ecological health and biodiversity, as outlined below:
 - a) Avoid: Permanent watercourses and riparian areas with high habitat value have been avoided.
 - b) Mitigate: efforts to reduce the adverse impacts include the following measures:
 - Utilizing fencing to limit project footprints;
 - Considering windfirm boundary assessments during the tree preservation strategy to ensure the integrity of the SPEAs;
 - Refining the lot boundaries based on protection of critical root protection zones to ensure the integrity of the SPEAs;
 - Conducting mass grading work in appropriate least risk windows and conducting species surveys and salvages where appropriate;
 - Restoring areas of temporary impacts through application of growing medium and native planting;
 - Stormwater management: The civil design includes the consideration of stormwater baseflow into the watercourses and outfalls are incorporated into infilled channels;
 - Fencing of the full perimeter of the SPEA and adjacent natural areas, along with signage to identify the environmental sensitivities of the lands; and
 - Placement of a Restrictive Covenant over the offsetting areas for long term stewardship.
 - c) Compensate: residual impacts are proposed to be off-set through the development of a compensation program that includes restoration of historically disturbed areas within the SPEAs on-site to improve fish habitat in the McLennan Creek watershed.
29. As described in more detail below, it is staff's opinion that the applicant has demonstrated an appropriate implementation of the Mitigation Hierarchy, which is reflected in the details of the proposed development and environmental works.

Variance to Streamside Protection Bylaw (SPB)

30. The subject property is further subject to Streamside Protection Bylaw (SPB) for which the applicant is proposing a variance of 21,005 m² reduction to the Streamside Protection and Enhancement Area (SPEA). The proposal presently provides a total of 23,920 m² of onsite riparian area restoration and enhancement for the proposed variance.
31. A summary of the watercourse classification is listed in the table below.

Table 3: Watercourse Classification

	Watercourse ID	Fish Bearing Status	Permanence	SPB SPEA (m)	RAPR SPEA (m)
West	Tributary CC12	Fish Bearing (potential)	Permanent	30	10
	CC12h	Non Fish Bearing	Permanent	30	10
	CC12i	Non Fish Bearing	Non-permanent	15	10
	Headwater Wetland	Non Fish Bearing	Non-permanent	15	15
	CC12i Wetland	Non Fish Bearing	Non-permanent	15	15
Central	CC41h-1	Fish Bearing (potential)	Permanent	30	10
	Segment 4	Non Fish Bearing	Non-permanent	15	10
	CC41h-1a	Non Fish Bearing	Permanent	30	10
East	CC41h	Fish Bearing (potential)	Permanent	30	10

32. The applicant's Qualified Environmental Professional (QEP) also advises that the proposed 21,005 m² reduction in the SPEA remains consistent with the provincial RAPR requirements. Staff support the proposed variance to the Streamside Protection Bylaw, subject to a condition that the rehabilitation/restoration meets the policies within the OCP with a 2:1 ratio. Further compensation is expected, however, upon finalizing the subdivision plans and prior to issuance of a permit, a re-determination will be required as the Streamside Protection Bylaw does not apply to institutional uses such as park spaces. A condition identifying the need to comply with the 2:1 compensation ratio has been included and must be resolved prior to permit issuance.

Habitat Compensation and Restoration Planting

33. A variance to the Streamside Protection Bylaw is typically accompanied by a habitat compensation/mitigation planting plan to offset any impacts resulting from the variance request and an associated monitoring program to ensure the works are successfully executed and maintained.
34. Based on an evaluation of SPB's SPEA requirements, a total area of 58,613 m² is required. The proposed SPEA is 39,164 m², representing a variance of 21,005 m². This variance is subject to senior government approvals. The McKee Neighbourhood Plan also envisions a pedestrian trail network through the subject site, totalling approximately 1,324 m² within historically disturbed riparian areas, which is excluded from the net riparian area balance. When accounting for future park designated areas that include portions of the 30 m streamside buffer, totalling 5,057 m² the net SPEA variance is reduced to 16,065 m².
35. Prior to the issuance of Development Variance Permit No. 2549, the applicant will need to provide detailed final plans showing the proposed works within the habitat compensation and restoration area, existing trees, planting plan, cross sections and profile views. The applicant

will need to submit a Construction Environmental Management Plan (CEMP) prior to the issuance of the Development Variance Permit, which will outline the proposed work in detail and how it will be carried out. All of these requirements have been included in the recommendations of this report.

36. The Environmental Coordinator has reviewed the Fish Habitat Assessment & Wildlife Habitat Report for the proposed changes to Streamside Protection and Enhancement Areas, prepared by BlueLines Environmental.
37. The MNP aims to enhance outdoor recreation by expanding trail networks and supporting related amenities in McKee Village, while also protecting the natural environment and respecting the mountain's topography. The plan promotes a human-scaled design and seeks to balance residential, commercial, recreational, and natural areas to create a well-integrated and livable community.
38. In the light of the above, although the proposal meets the RAPR setbacks, staff only support the proposed variance to the Streamside Protection Bylaw, subject to a condition that the rehabilitation/restoration meets the policies within the OCP with a 2:1 ratio. This condition has been included in the conditions of the issuance of the DP No. 2549.

Abbotsforward 2050 (Streamside Protection Bylaw and NEDP)

39. The OCP is currently at Stage 3 - Prepare New Policy, with the last Stage - Adopt New Policy expected to be completed at the end of 2025. Abbotsforward 2050 - Stage 3 Draft Policy and Regulation Report was received by Council on May 13, 2025, which directed staff to undertake community engagement on the draft OCP and Zoning Bylaw changes.
40. As part of the Abbotsforward 2050 initiative, the City is updating its Official Community Plan (OCP) to integrate the Streamside Protection Bylaw (SPB) and its Streamside Protection and Enhancement Area (SPEA) setbacks into the Natural Environment Development Permit (NEDP) guidelines. Under this approach, any development proposed within a SPEA must be reviewed by a Qualified Environmental Professional (QEP) and include measures to protect, restore, or enhance the natural habitat as a condition of approval.
41. Moving the SPEA requirements from the SPB to the NEDP guidelines aims to streamline the development process while continuing to safeguard sensitive environmental areas.
42. If Council adopts the proposed changes to the SPB and OCP under the Abbotsforward 2050 initiative, under this application, a variance to the SPB may no longer be required. Instead, a Natural Environment Development Permit (NEDP) would be required and considered by the Director of Development Planning. Any development proposed within a habitat area must continue to demonstrate compliance with the Development Permit Guidelines.

Senior Agency Regulatory Considerations

43. The Fish Habitat Assessment & Wildlife Habitat Report notes that the proposed development will require compliance with the Water Sustainability Act, Water Sustainability Regulation. An application for Changes In And About a Stream (CIAS) as defined under Section 11 of the Water Sustainability Act will be required with works completed under environmental monitoring supervision to ensure adherence with instream works standards and best practices.

Steep Slope Development Permit

44. As per the OCP, portions of the subject properties are located within the Steep Slope Development Permit area, as shown in Figure 6. The Steep Slope Development Permit area guidelines are intended to allow land to be used for its intended purpose, while also protecting residents and property from the potential risk of natural hazards. In some cases, development on or near steep slopes is unavoidable and requires measures during site and building design, construction, and long-term maintenance to minimize the associated risks.
45. As Council is considering a variance to the Streamside Protection Bylaw, a Steep Slope Development Permit is also included in this consideration, as the overall ground works are contingent on each other. The applicant has provided a Geotechnical Investigation Report with Appendix D – Landslide Assessment Assurance Statement (dated June 5, 2025), prepared by Geopacific Consultants (Attachment D), which confirms that the proposed development is safe for the use intended and recommends registration of a geotechnical supervision covenant. The Development Permit with Variance No. 2549 includes this report as a schedule, and all of the development on the subject properties will need to adhere to the recommendations of the Geotechnical Engineering.
46. Staff support the issuance of a Steep Slope Development Permit in conjunction with a Variance to the Streamside Protection Bylaw given that the design generally adheres to SSDP guidelines.

Multi Family Form and Character Development Permit (F&C DP)

47. The proposed townhouse development located within the subject site is subject to the Multifamily Residential Development Permit guidelines contained within the OCP. The objectives of these guidelines are to encourage the construction of well-designed, attractive and livable residential developments.
48. At this stage no variances to Zoning Bylaw are proposed, following Council consideration of the rezoning and variance to SPB applications, the Multifamily Residential Development Permit for Form and Character will be reviewed for issuance by the Director, Development Planning in accordance with the delegation of powers contained within the Development Application Procedures Bylaw.

Wildfire Hazard Development Permit

49. The subject site is located within a designated Wildfire Hazard Development Permit Area, as identified in Map 19 of the McKee Neighbourhood Plan. Subdivision, land alteration (such as grading, tree clearing, or service installation), and building construction or modifications within this area are subject to specific wildfire hazard guidelines.
50. The purpose of a Wildfire Hazard Development Permit is to:
- a. Minimize wildfire risk to people and property
 - b. Protect surrounding forests and ecosystems
 - c. Manage site conditions that may increase fire hazards
51. As the application was submitted prior the adoption of the McKee Neighbourhood Plan (MNP), the proposed development is exempt from a Wildfire Hazard Development Permit (WHDP).

However, the applicant has indicated a willingness to work collaboratively with staff to ensure the design aligns with the WHDP guidelines outlined in the MNP. Further review will be completed by the staff at the Form and Character Development Permit stage for the townhouse sites and at the subdivision stage for single detached houses.

Future Mass Grading Development Permit

52. Following Council consideration of the proposed rezoning, the applicant intends to request issuance of a mass grading development permit to move soil from the site on the portions of the lands that are outside of SPEA and NEDP. Should Council grant third reading to Bylaw No. 3761-2025, a separate Steep Slope Development Permit will be reviewed for issuance by the Director, Development Planning in accordance with the delegation of powers contained within the Development Application Procedures Bylaw.

Tree Removal and Replacement / Landscaping

53. An Arborist and Windfirm Boundary Assessment report was submitted in conjunction with this application, which was prepared by Forte Urban Forestry, dated May 30, 2025 (Figure 11 and Attachment E). A total of 568 mature trees were assessed. A tree management summary of the proposed tree retention and removal is provided in the table below.

Table 4: Tree Management Summary

Tree Location		Remove	Retain	Total Trees
		293	92	385
On the subject properties	<i>Within Development Footprint</i>	275	1	276
	<i>Outside Development Footprint</i>	18	91	109
Adjacent Property		2	49	51
Right of Way			1	1
RAPR SPEA		9	122	131
Total Trees		304	264	568

54. Accordingly, the removal of 304 will require the provision of replacement trees on-site or a cash contribution in lieu of replacement consistent with the Tree Protection Bylaw. As per the Bylaw, the applicant is required to provide a replacement at a 3:1 ratio for trees having a diameter greater than 30 cm DBH and at a 2:1 ratio for trees having a diameter of 20 – 30 cm DBH. Accordingly, this would equate to 525 replacement trees. Tree removal/replacement and landscaping requirements will be secured at the time of the subsequent Development Permits.
55. A total of 9 SPEA trees are proposed for removal, which triggers the Ministry of Environment's tree replacement requirements based on the DBH of each tree. According to the provincial replacement criteria, a total of 42 replacement trees are required, which will be planted as part of the Habitat Compensation and Restoration Planting and secured through DP No. 2549.
56. In conjunction with this development, street trees and yard trees (minimum of 1 tree per lot) are required in accordance with the Development Bylaw and will be secured at the subdivision stage.

Parks, Trails and Open Space

Parks

57. The McKee Neighbourhood Plan (MNP) envisions a connected and accessible park network that balances recreational use with environmental preservation. As shown on Map 11 of the MNP (Figure 9) future parks are strategically located near higher density areas and form part of the broader Green Network. The MNP specifically identifies a Neighbourhood Park (Park 1) with a size range of 1.8 ha to 3.3 ha in the general area of this development.
58. The applicant proposes to rezone a 1.31 ha area to be rezoned to P2 for Park use, being transferred to the City with the subsequent subdivision application as part of the 5% parkland requirement. The remaining 0.49 ha is to be secured through a future application on adjacent western lands. The 1.31 ha includes two areas, 0.368 ha located at the northeast corner (Highgrove Place) for a trailhead with potential for parking for trail users, and 0.945 ha on the west side along future Road B.
59. As per the MNP, these lands must be prepared for park use by the developer prior to dedication such as land must be preliminarily graded to ensure proper drainage and usable flat areas per an approved plan, and confirmed stable and fully developable through a geotechnical assessment. Once the developer requirements for the parkland and the surrounding construction of homes are completed, the park will be designed and developed by the City.

Trails

60. The MNP envisions a trail connected community that supports outdoor recreation and active transportation. Trails will link natural areas, neighbourhoods, and key destinations, promoting walking and biking over vehicle use. As part of the proposed development, the applicant is proposing a trail connection from the existing McKee Peak trail located at the northeast corner of the site to the southwest corner. This proposed trail is located within the designated open space and aligned with the identified wildlife corridor. The related works (e.g. trailhead, trail, signage and fencing, etc.) shall be secured at the subdivision stage.

McKee Trail Future Study

61. As per the MNP, the City will establish the specifics of the trail network within the neighbourhood in a future detailed study. This study will examine the trail hierarchy and types, general alignments, and trail standards (including hiking, mountain biking, multi-use and universally accessible), in consultation with the community. The study may also examine and supplement guidance on other components of the Green Network such as Parks, Open Spaces and Views.
62. Trails within the subject development are to be constructed by the developer and secured as a condition of subdivision approval. The proposed trail alignments generally adhere to the McKee Neighbourhood Plan, with detailed review to occur at the site servicing stage. As this application proceeds ahead of the Trail Strategy, coordination between the development and the strategy will be important to ensure proper connections to adjacent lands.

Open Space

63. The MNP includes large natural open spaces to protect the environment, support trails, and connect key destinations. Undevelopable lands, such as steep slopes and environmentally

sensitive areas, are required to be secured as open space through dedication, covenants, or rezoning, forming part of the green network.

64. As per the proposed rezoning, the portion of land (approximately 4.07 ha) that is not being developed and secured for environmental rehabilitation and enhancement is proposed to be rezoned to P2 and will be transferred to the City at the subdivision and development permit stage.

Future Schools Sites

65. To support the future anticipated population of the McKee Neighbourhood, the MNP identifies the need for two additional elementary schools and one secondary school. One elementary school (Auguston Traditional Elementary School) already exists and is in progress of expansion, and a middle school site (located west side of Sumas Mountain Road) has previously been secured by Abbotsford School District 34.
66. As per MNP elementary school sites must be secured with the first rezoning in each designated phase and should be located near collector roads. The secondary school site will be required once 50% (3,300 principal dwelling units) of the total projected dwellings are approved up from the current 1,500 units that currently exist in the broader neighbourhood including Auguston and in the West Highlands neighbourhoods. The secondary school site must be located near collector or arterial roads, with site details coordinated with the School District and the City.
67. As the first rezoning application within the Elementary School Phase B area (Map 26 of the McKee Neighbourhood Plan, Figure 10), the applicant is proposing to make approximately 10 acres of land available for purchase by the Abbotsford School District for a future elementary school (Attachment F). School District staff has reviewed the proposal and provided preliminary feedback regarding site suitability, servicing requirements, financial considerations, and the need for long-term flexibility in securing the site.
68. Should Council grant third reading to the proposed rezoning, the terms and conditions of this agreement will be required to be finalized prior to bylaw adoption.

Subdivision

69. The applicant is also proposing to subdivide the lands generally in accordance with the submitted site plan (Figure 7). The proposal includes 108 single detached lots under the proposed RS6 zone, two townhouse sites (approximately 1.6 ha and 3.2 ha) to be rezoned to RMG, four rural residential lots under the existing RR Zone, 4.07 ha of open space, and 1.31 ha of parkland to be zoned P2.
70. The proposed preliminary subdivision layout 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. Parkland and Road dedication will also be secured through the subdivision process.

Community Benefit Contributions

71. On September 11, 2023, Council adopted Policy C007-11 which establishes and describes a

Community Amenity Contributions (CAC) program for residential development applications that require rezoning. Under this policy, CAC's are defined as voluntary amenity contributions made by the developer as part of their rezoning proposal and are intended to offset the cost of providing community amenities associated with new residential development. With respect to residential developments, the voluntary cash-in-lieu contribution is \$5,000 with the funds being directed to the Affordable Housing Opportunities Reserve Fund (Affordable Housing), and a Community Amenities Reserve Fund (Recreation Amenities and Green Space, Cultural Amenities and Emergency Service Amenities). The policy applies to all new rezoning applications made after September 11, 2023. As the subject application was made prior to September 11, 2023, the applicant has proposed a community contribution under the previous Community Benefit Contribution (CBC) policy. The recommended CBC for this application is \$187,500 (\$625 per new unit).

Road Alignment and Construction

72. As per the McKee Neighbourhood Plan (MNP), McKee Road is designated as an Arterial Road. The MNP further proposes a system of Collector Roads through the subject site, entering from McKee Road and looping through the site to connect with Highgrove Place to the east. The plan also identifies potential access points to future development areas beyond the site.
73. The proposed layout generally adheres to the conceptual road network and road classification plan outlined in the MNP (Map 21). The applicant has submitted a Transportation Impact Assessment (TIA) in support of the proposed road network. The City's Engineering Department has accepted the proposed layout; however, further review will be undertaken in conjunction with detailed design.
74. The applicant will be required to meet all requirements outlined in the Works and Services Report (Attachment G) prior to adoption of the bylaw. These requirements have been included in the conditions for bylaw adoption

Future Road Closure

75. In accordance with the Development Bylaw, McKee Road is designated as an Arterial Road with a required 27 m right-of-way. Portions of the road have been over-dedicated, resulting in an excess area of approximately 795 m² fronting this development. The applicant has expressed interest in acquiring this over-dedicated portion through a road closure process, with the intention of consolidating it into the adjacent townhouse sites.
76. Should Council grant third reading to the proposed rezoning, staff will review the applicant's road closure request. If deemed feasible, staff will bring forward a separate Road Closure Bylaw for Council's consideration.

Site Development Considerations

77. A staff review of the Works and Services (dated July 3, 2025 Attachment G) necessary to support this application has been completed, the details of which will be incorporated into the Development Agreement, which is a recommended prerequisite for adoption of the Zoning Bylaw amendment. Some notable off-site requirements of the attached Works and Services Requirements are:

- a. Align the proposed intersection of Road A to directly align with existing golf course access on the north side of McKee Road as per McKee Neighbourhood Plan or alternatively, to a location justified by the TIA and compliant with TAC standards;
- b. The OCP designates McKee Road as an Urban Arterial with Left-turn lane standard road which is required to be a minimum 27.0 m wide highway right-of-way;
- c. On McKee Road, along the portion of the frontage that does not meet the minimum 27.0 m Urban Arterial Divided standard, dedicate up to 7.0 m of road allowance as required to achieve the full standard width;
- d. On McKee Road, along the full frontage of the Lands from the west property line to the east property line, construct half of an Urban Arterial Divided standard road with Urban Highway design features;
- e. Interim traffic laning to be modified to allow for a Temporary Parking lane on the South Side of McKee Road until such time that the five-lane cross section is required;
- f. On Highgrove Place, along the full frontage of the Lands from the east property line to the McKee Road, construct half of an Urban Hillside Collector standard road with Urban Highway design features;
- g. Improvements to McKee Road and nearby intersections shall be made based on the findings of the Traffic Impact Assessment and the requirements set out by the City's Transportation Department, in connection with the proposed development of the Lands;
- h. Pre-duct intersection to accommodate future signalization;
- i. Provide a Cash-in-lieu contribution of \$200,000 for the future signalization of the McKee at the new Road A;
- j. Pre-duct intersection to accommodate future signalization. Provide a Cash-in-lieu contribution of \$200,000 for the future signalization of the McKee at the new Road A;
- k. Construct a far-side transit stop with a concrete pad and electrical provision and shelter for new eastbound stop on McKee Road; and
- l. On McKee Road, provide a 1.8 m x 10 m SROW for the new future transit stop location.

78. 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.

Communication Plan

On December 11, 2023, Council adopted amendments to the Development Application Procedures Bylaw which removed the requirement for a Public Hearing for rezoning bylaws and Council Hearings for Development Variance Permits. Two advertisements have been published in the City Page of the local newspaper and the City has notified, in writing, the owners and occupiers of land within a 100 meter radius of the subject property, that proposed Bylaw 3761-2025 will be considered for 1st, 2nd and 3rd reading.

The City received confirmation on June 16, 2025 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 four weeks in advance of Council's consideration of the application.

FINANCIAL PLAN IMPLICATION

Any capital works implications arising from this application have been addressed through the rezoning process.

Any fees and charges collected, as mentioned in the recommendation section, will be credited to City's various revenue or deposit accounts.

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

The proposed rezoning and development permit with variance are consistent with the policies, goals and objectives identified in the 2016 Official Community Plan, the Affordable Housing Strategy, and Council's 2022-2026 Strategic Plan which identifies four Guiding Principles: Inclusive and Connected Community, Sustainable and Safe City, Vibrant and Growing Economy and Organizational Excellence and Integrity.

SUBSTANTIATION OF RECOMMENDATION

The proposal to rezone the lands to Park, Open Space and School Zone (P2), Compact Lot Residential Zone (RS6) and Multifamily Ground Oriented Zone (RMG), with variance to Streamside Protection Bylaw to develop a total of 108 single detached lots, 192 townhouses and four rural residential lots is consistent with the OCP land use designations of Urban 4 – Detached, Urban 2 – Ground Oriented and Open Space. The density, scale and built form are well suited to the residential land use designations. The proposal will create a high-quality development along McKee Road and is integral to completing the road network within the neighbourhood. Staff recommends support for the proposed application.

APPROVALS

Blake Collins, Director, Development Planning
Komal Basatia, Chief Financial Officer
Peter Sparanese, City Manager

ATTACHMENTS

Council Figures 0-11

Attachment A - Draft Bylaw No. 3761-2025 Abbotsford Zoning Bylaw 2014 Amendment Bylaw No. 707 (Final Draft) 2025 07 09

Attachment B - Draft Development Permit with Variance No. 2549

Attachment C - Fish Habitat Assessment and Wildlife Habitat Report

Attachment D - Geotechnical Investigation Report

Attachment E - Arborist Report and Windfirm Boundary Assessment

Attachment F - School Site Letter

Attachment G - Works and Services Requirements

Attachment H - Corporate Summary