



# The Corporation of the City of Grand Forks

## Public Hearing

### AGENDA

Meeting #: PH-2019-01  
Date: Monday, February 11, 2019, 6:00 pm  
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

#### 1. Call to Order

The Chair will call the Hearing to Order:

(a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend the City of Grand Forks Zoning Bylaw No. 2039.

(b) All persons who believe that their interest in property within the boundaries of the City is affected by the proposed bylaw(s) shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw(s) that are the subject of this Hearing. No one will be or should feel discouraged or prevented from making their views known. This Hearing is open to the public and all representations to Council form part of the public record. A live video and audio feed may be broadcast and recorded by GFTV.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after **Jan 30, 2019** (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Members of Council may ask questions, if they so wish; however, the main function of Council members is to listen to the views of the public. It is not the function of Council to debate the merits of the proposed bylaw with individual citizens or with each other at this Hearing.

(e) Council debate on the proposed bylaw(s) is scheduled to take place during the next Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached at that meeting.

(f) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Hearing.

(g) During a Public Hearing, people sometimes become enthusiastic or emotional. Regardless of whether you favour or oppose any application or argument, please refrain from applause or other expressions of emotion. Restraint enables others whose views may or may not coincide with your own to exercise their right to express their views and have them heard in as impartial a forum as possible.

#### 2. Notification of Meeting

#### 3. Individual Bylaw Submissions

- a. Public Hearing – Rezoning from R1 - Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone) to accommodate a Mobile Home Park and Ecological Reserve – Boundary Drive North (File: ZA1803)  
*Development, Engineering and Planning*

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- b. Public Hearing - Zoning Amendment Bylaw 2039-A3  
*Development, Engineering & Planning*

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#### 4. Adjournment

#### 5. Procedure on each Bylaw Submission

(a) Brief description of the application by City Staff (Planning Department);

(b) The Chair will request that the Corporate Officer indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

- i. The microphone at the delegates table has been provided for any person(s) wishing to make representation at the Hearing.
- ii. The Chair will recognize ONLY speakers at the delegation table.
- iii. Those who wish to speak concerning the proposed bylaw should, at the appropriate time, commence your address to the Council and the meeting by clearly stating your name and address.
- iv. Speakers are encouraged to limit their remarks to 5 minutes; however, if they have additional information, they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the next Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. Please ask staff for assistance prior to the Hearing if required.

# Request for Decision



To: Regular Meeting  
From: **Development, Engineering and Planning**  
Date: January 28, 2019  
Subject: First and Second Reading – Rezoning from R1 - Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone) to accommodate a Mobile Home Park and Ecological Reserve – Boundary Drive North (File: ZA1803)  
Recommendation: **THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A2.**

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## Background

### Overview

At the Committee of the Whole meeting on January 14, 2019 (see Agenda item No. 8.c.), Council recommended that first and second reading be given to Zoning Bylaw Amendment No. 2019-A2 which would rezone 1.2 hectares (3 acres) from R1 – Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone). This rezoning would accommodate a 25-unit mobile home park and ecological reserve at the northerly extent of Boundary Drive (see proposed bylaw attached).

Once the rezoning bylaw receives first and second reading, Council must hold a Public Hearing to receive community input prior to adopting the bylaw. Notice of the Public Hearing is advertised for two consecutive weeks in the Gazette and sent to all owner/occupants within 30 metres of the site. The Public Hearing is tentatively scheduled for February 11, 2019 (6pm).

### Application Details

Details about the applicant and the site are as follows:

Applicant/Owner: Vadim Kobasew, PO Box 779, Osoyoos, BC V0H 1V0  
Agent: Orchard Lane Properties Inc., PO Box 779, Osoyoos, BC V0H 1V (250-490-7959)

Civic Address: 7900/8000 Block of Boundary Drive (including 8051 Boundary Drive)

Legal Descriptions (three lots to be consolidated):

- Lot 16, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-136 (1 acre).
- Lot 17, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-152 (1 acre).
- Lot 18, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-217 (1 acre).

Current Zoning: R1 (Residential – Single and Two-Family) Zone.

Proposed Zoning: Comprehensive Development (“CD”) Zone 1 which generally includes a) specific regulations regarding setbacks, fencing, landscaping and size of mobile home spaces; b) site layout and development tied to site specific plans contained in the bylaw; and, c) designation of an ecological reserve area to protect the existing wetland and ensure adequate building setbacks from it.

**Issues to be Resolved Prior to Bylaw Adoption**

The applicant will be required to address the following matters prior to final adoption of the rezoning bylaw:

- Completion and execution of a Works and Services agreement with the City (as per Bylaw No. 1970) which will specify duties and obligations respecting the provision of sewer, water, roads, drainage, stormwater management, fire protection, electrical and performance securities to ensure that servicing infrastructure is adequately installed and maintained;
- Consolidation of the three parcels into one and submission of a survey of the wetland as endorsed by a qualified environmental professional;
- Landscaping and screening to mitigate impacts on adjacent development and the wetlands including bonding/security to ensure that the landscaping is undertaken and maintained to a specified standard;
- Payment of Development Cost Charges (DCCs) as per City bylaws. *(Note: The applicant is requesting that DCCs be waived for the smaller mobile homes. DCCs are payable at the time of building permit for each dwelling unit and requests to waive DCCs must be made on a case by case basis. DCCs must be paid by the land owner/developer and not be passed on to the owners of the mobile homes);* and
- City acceptance of any latecomer or related agreements proposed as per the Local Government Act or Community Charter.

**Timing**

If the rezoning application receives first and second reading, the next steps and estimated time frame are outlined below:

<b>Activity</b>	<b>Timing</b>
First and second reading of the rezoning bylaw.	January 28, 2019
Public Hearing advertised twice and residents within 30 metres notified in writing of the application.	January 30 & February 6 <sup>th</sup> , 2019
Public Hearing held by City Council.	February 11, 2019
Third reading of the rezoning bylaw.	February 11, 2019 (subject to results of Public Hearing)
Works and services agreements finalized; MOTI approval; development permit reviewed.	February/March, 2019
Final reading of the bylaw and Development Permit (Environmental) considered for approval.	March 11 or 25 <sup>th</sup> , 2019

Activity	Timing
Site servicing; building permit applications reviewed and issued.	April, 2019

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## Benefits or Impacts

### General

This bylaw enacts a zoning provision to accommodate comprehensively designed, site specific developments in the City that involve sensitive ecosystem protection, contain unique elements of benefit to the community or deliver affordable and innovative housing.

### Strategic Impact



#### Community Engagement

- The public will be advised and invited to comment on the rezoning application in writing and through advertisements in the Gazette. A public hearing will be held to allow Council to hear any comments or concerns respecting the proposal.



#### Community Livability

- The project would contribute much needed affordable housing to the City and offer an alternative to regular rental or fee simple ownership.



#### Economic Growth

- An alternative housing type may make it easier and more affordable for the local work force to relocate to or remain in Grand Forks. Once a municipal sewer/water line is brought to this site, fronting land owners may be able to utilize the servicing which may induce new developments in the area.

### Policy/Legislation

The Official Community Plan, Zoning Bylaw, Local Government Act and the Planning Process and Fees Bylaw.

## Attachments

Bylaw No. 2039-A2

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## Recommendation

**THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A2.**

## Options

1. THAT Council accepts the report and gives first and second readings to Bylaw No. 2039 – A2.
2. THAT Council does not accept the report or undertake the bylaw readings.
3. THAT Council refers the matter back to staff for further information.

# Request for Decision



To: Regular Meeting  
From: **Development, Engineering & Planning**  
Date: January 28, 2019  
Subject: First and Second Reading –Amendments to the Zoning Bylaw with respect to cannabis retail stores, accessible parking spaces and other minor changes (File: ZA1901)  
Recommendation: **THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A3, 2019.**

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## Background

### Overview

At the regular meeting on January 14, 2019, Council passed a resolution directing staff to bring forward a zoning bylaw amendment to eliminate the 100 metre separation distance between cannabis retail stores in the City and to eliminate the requirement for signs and the front face on these stores to be at least 50 metres from a controlled highway (i.e., Highway No. 3).

Bylaw No. 2039-A3 (attached) addressed these two regulations as well as several other minor “housekeeping” issues intended to clarify the intent of the zoning bylaw and update certain regulations as summarized in Table 1 below.

<b>Section Reference</b>	<b>Amendment</b>	<b>Intent</b>
58.3 Cannabis Retail Overlay (CRO)	To delete the 100 metre separation distance required between cannabis retail stores in the City.	To streamline the provincial licencing and municipal approval process and to create market access equity among cannabis retail store applicants. Eliminates municipal involvement in market competition in this retail sector.
58.4 Cannabis Retail Overlay (CRO)	To delete the requirement for building facades and signage to be set back 50 metres from Highway No. 3.	To permit more equitable access to the cannabis retail market among stores in the city.
26.6 Offstreet Parking	To require 2% of parking spaces for non-residential uses to be accessible, with a minimum of one space per site. To require the size of these spaces to	To ensure that suitably sized accessible parking stalls are provided for non-residential land uses in the City.  The British Columbia Building Code 2018 no longer regulates accessible parking so it now the responsibility of the City. This

<b>Section Reference</b>	<b>Amendment</b>	<b>Intent</b>
	be at least 2.8 metres wide with an additional 1.2 metres on both sides of the stall to allow wheelchair access.	amendment brings in regulations for the number and size of accessible parking spaces required for non-residential land uses.  The new regulation is based on standards recommended by the <i>Ministry of Transportation and Infrastructure</i> and the <i>Institute of Transportation Engineer's</i> publication entitled "Guidelines for Parking Facility Location and Design".
Sections 36.4 (R-1 zone), 39.5 (R-2 zone) and 40.7 (R-3 zone)	Clarify the types of dwelling units permitted in certain residential zones.	To eliminate ambiguity with respect to the interpretation of these sections.
Various sections; NC, I-1, I-2, I-3, I-4, LF, R-4 and R-4A	Add "animal hospitals" as a permitted use in commercial, industrial and rural residential zones.	To allow animal hospitals to locate in areas other than in the downtown or highway commercial areas.
Section 47 HC Highway Commercial Zone and Section 50 I-1 Light Industrial Zone	Add "professional services" as a permitted use in the HC and I-1 zones.	To allow additional flexibility as to where professional offices (i.e., doctors, lawyers) can locate in the City.

### **Timing**

If the zoning amendment receives first and second reading, the next steps and estimated time frame are outlined below:

<b>Activity</b>	<b>Timing</b>
First and second reading of the zoning bylaw amendment.	January 28, 2019
Public Hearing advertised for two consecutive weeks.	January 30 & February 6 <sup>th</sup> , 2019
Public Hearing held by City Council.	February 11, 2019
Third and final reading of the zoning bylaw amendment.	February 11, 2019 (subject to results of Public Hearing)
Implementation.	February, 2019



## Benefits or Impacts

### General

The amendments to the cannabis separation/setback distances will create more equitable access to the market for potential retailers and streamline the provincial/municipal licencing process without compromising other siting regulations related to neighbourhood impacts, safety, etc.

The text amendments will eliminate some regulation ambiguities and allow more flexibility for animal hospitals and professional services to locate in the City.

### Strategic Impact



#### Community Engagement

- A statutory Public Hearing will be held to encourage and receive feedback from the community on the zoning amendment proposals.



#### Community Livability

- Adding best practices for accessible parking into the zoning bylaw will improve community livability for community members with accessibility challenges.



#### Economic Growth

- The process for applying for a cannabis retail store licence will be more transparent allowing applicants to make more informed decisions as to where they may propose to establish a store.
- Requiring accessible parking will make it easier for those with mobility challenges to fully participate in the local economy.



#### Fiscal Responsibility

- The text amendments will provide clarification to the zoning bylaw and reduces staff time associated with interpreting and clarifying the intent of the bylaw.

### Policy/Legislation

Freedom of Information and Protection of Privacy Act, Zoning Bylaw, Official Community Plan, Local Government Act, Ministry of Transportation and Infrastructure Policy No. 5.2.4 and “Guidelines for Parking Facility Location and Design” (Institute of Transportation Engineers).

## Attachments

Zoning Bylaw Amendment No. 2039-A3, 2019

## **Recommendation**

**THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A3, 2019.**

## **Options**

1. THAT Council accepts the report and gives first and second reading to the bylaw.
2. THAT Council does not accept the report.
3. THAT Council refers the bylaw back to staff for further information.

THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A3

A Bylaw to Amend the City of Grand Forks  
Zoning Bylaw No. 2039, 2018.

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The Corporation of the City of Grand Forks **ENACTS** as follows:

1. This bylaw may be cited for all purposes as “**Zoning Bylaw Amendment Bylaw No. 2039-A3, 2019**”.

2. **Amend Bylaw No. 2039 as follows:**

2.1. **DELETE** subsection 58.3 and replace with:

58.3 Unless otherwise permitted in this bylaw, no building or structure may be within 100m of the nearest parcel boundary of a lot in a Community Use Zone or a youth-centred facility.

2.2. **DELETE** subsection 58.4 and renumber accordingly.

2.3. **DELETE** subsection 26.6 and replace with:

26.6 For non-residential uses, at least 2% of the required offstreet parking areas shall be designated as accessible for persons with disabilities, with a minimum of one space per site. Each offstreet accessible parking spaces for persons with disabilities shall not be smaller than 2.8 metres wide with an additional 1.2 metres on both sides of the space to allow for wheelchair access.

2.4. **DELETE** section 2 (Definitions), subsection 2.1, dwelling unit classification (a) and replace with:

(a) Single-family dwelling, detached, generally designed for and occupied by one family.

2.5. **DELETE** subsection 36.4 and 39.5 and replace subsection 36.4 and 39.5 with:

The following types of dwelling units are allowed on a parcel of land:

- (a) One single-family dwelling, plus one secondary suite and one garden suite; or
- (b) One two-family dwelling, plus one garden suite;

2.6. **DELETE** subsection 40.7 and replace with:

40.7 The following types of dwelling units are allowed:  
(a) multi-family dwellings;

(b) apartment buildings.

2.7. **INSERT** *animal hospitals* as a permitted use in the following zones: NC (Neighbourhood Commercial), I-1 (Light Industrial), I-2 (General Industrial), I-3 (Value Added Industrial), I-4 (Gravel/Mineral Processing), LF (Landfill), R-4 (Rural Residential) and R-4A (Rural Residential), and renumber the relevant section(s) or subsection(s) accordingly.

2.8. **INSERT** *professional services* as a permitted use in the following zones: HC (Highway Commercial) and I-1 (Light Industrial) and renumber the relevant section(s) or subsection(s) accordingly.

Read a **FIRST** time this \_\_\_ day of \_\_\_\_\_, 2019.

Read a **SECOND** time this \_\_\_ day of \_\_\_\_\_, 2019.

**PUBLIC HEARING HELD** this \_\_\_\_ day of \_\_\_\_\_, 2019.

Read a **THIRD** time this \_\_\_ day of \_\_\_\_\_, 2019.

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**FINALLY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor Brian Taylor

\_\_\_\_\_  
Corporate Officer Daniel Drexler

**CERTIFICATE**

I hereby certify the foregoing to be a true copy of Bylaw No. 2039-A3 as passed by the Council of the City of Grand Forks on the \_\_\_\_\_ day of \_\_\_\_\_ ,

\_\_\_\_\_  
Corporate Officer of the Corporation of the  
City of Grand Forks