

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: June 15, 2020

Subject: Zoning Bylaw Amendment No. 2039-A13 Definitions for Restaurant and Charitable or Non-Profit Food Service (File: ZA2002)

Recommendation: **THAT Council give 1st and 2nd reading to Zoning Bylaw Amendment No. 2039-A13 and authorize staff to proceed with the legislative requirements respecting public notification.**

Background

At the Regular Meeting of May 11, 2020, Council discussed land use definitions for community or courtesy kitchens and agreed that staff would bring forward definitions for Council's review. Staff undertook substantial research into related best zoning practices and presented this information to Council at the Regular Meeting on May 25, 2020. Council subsequently directed staff to include the proposed definitions for Restaurant and Charitable or Non-Profit Food Service in a Zoning Bylaw amendment and present that amendment bylaw at the June 15, 2020 Regular Meeting for the first two readings.

Proposed Zoning Amendment Bylaw No. 2039-A13

This Zoning Bylaw Amendment introduces a new definition for "Charitable or Non-Profit Food Service" and also revises the existing definition of "Restaurant" by clarifying that a restaurant does not include a Charitable or Non-Profit Food Service.

The proposed definitions are as follows:

Charitable or Non-Profit Food Service means an establishment where meals are provided to the public by a non-profit or charitable organization on a regular basis but excludes occasional fundraisers and special events where meals may be provided for free.

Restaurant means a building or structure where food and drink are prepared and sold to the public for consumption. The food and drink may be eaten within or outside of the building or structure or taken away from the building or structure. Does not include Charitable or Non-Profit Food Service.

It is noted that this newly defined land use will not be included in any zones at this time due to the impending review of the Official Community Plan (OCP) which will involve a comprehensive review of the land use designations and policies in the City.

Public Notification

As per the requirements of the Local Government Act, the proposed Bylaw will be advertised twice in the local paper advising the public of the date and time of a Public Hearing (which will be held via Zoom Video Conferencing) and ways by which they can provide feedback about the proposed Bylaw. The Public Hearing notice will also be posted on the City website and Facebook page. Comments received will be transmitted to Council for review.

Timing

The following table outlines the tentative timeframe associated with this Zoning Bylaw Amendment.

Zoning Bylaw Amendment No. 2039-A13 – Tentative Timeframe	
ACTIVITY	TIMING
Regular Council Meeting – Council discusses definitions for Community or Courtesy kitchens and directs staff to bring forward definitions for review	May 11, 2020
Council reviews information and directs staff to bring forward a Zoning Bylaw Amendment for first and second reading	May 25, 2020
Council considers Bylaw Amendment for 1st and 2nd reading	June 15, 2020
Public Hearing notice advertised in the Grand Forks Gazette (twice as required by the Local Government Act)	July 8th and July 15th, 2020
Council hears feedback from the public via a Zoom Public Hearing meeting	July 20, 2020
Regular Council Meeting – Council considers feedback from the public and considers Zoning Bylaw Amendment for 3rd and final reading	July 20, 2020

Benefits or Impacts

General

This Zoning Bylaw Amendment introduces a specifically defined land use in the Zoning Bylaw to clarify the difference between a commercial (for profit) restaurant/food service and a non-commercial (non-profit/charitable) restaurant/food service.

Strategic Impact

Community Engagement

- The public has opportunities to provide feedback about the Bylaw Amendment at a Public Hearing or by contacting City staff.

Policy/Legislation

Local Government Act and the Zoning Bylaw.

Attachments

Appendix 1 - Zoning Bylaw Amendment No. 2039-A13

Recommendation

THAT Council give 1st and 2nd reading to Zoning Bylaw Amendment No. 2039-A13 and authorize staff to proceed with the legislative requirements respecting public notification.

Options

1. THAT Council accepts the report.
 2. THAT Council does not accept the report.
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Appendix 1 - Proposed Zoning Bylaw Amendment No. 2039-A13 (File: ZA 2002)

THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A13

A Bylaw to Amend the City of Grand Forks
Zoning Bylaw No. 2039, 2019.

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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 No. 2039-A13, 2020**”.
2. Zoning Bylaw No. 2039 is amended as follows:
 - a. **ADD** to Section 2. Definitions, under subsection 2.1, in alphabetic order, a new definition as follows:

Charitable or Non-Profit Food Service means an establishment where meals are provided to the public by a non-profit or charitable organization on a regular basis but excludes occasional fundraisers and special events where meals may be provided for free.

- b. **DELETE** the definition of “Restaurant” in Section 2. Definitions, and under subsection 2.1 **REPLACE** the definition of Restaurant with the following:

Restaurant means a building or structure where food and drink is prepared and sold to the public for consumption. The food and drink may be eaten within or outside of the building or structure or taken away from the building or structure. Does not include Charitable or Non-Profit Food Service.

Read a **FIRST** time this day of , 2020.

Read a **SECOND** time this day of , 2020.

Read a **THIRD** time this day of , 2020.

FINALLY ADOPTED this day of , 2020.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

