

Request for Decision



To: Regular Meeting
From: **Development and Planning**
Date: July 11, 2022
Subject: Zoning Bylaw Amendment Bylaw No.2039-A26
Recommendation: **THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A26**

Purpose

For Council to consider giving first and second readings to Zoning Bylaw Amendment Bylaw No. 2039-A26 to rezone 14 parcels (see table below for legal descriptions, PID, and civic address details) from R-3 (Multi-Family Residential) Zone to CU (Community Use) Zone. 7 of these parcels are related to the proposed art installation project, while the other 7 parcels would be aligned for anticipated uses due to the diking infrastructure.

Civic Address:	Legal Description:	PID:
7186 Riverside Dr.	LOT 10 BLOCK 31 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23	012-797-910
7186 Riverside Dr.	LOT 11 BLOCK 31 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23	012-797-961
	PARCEL A (PLAN M9356) OF DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT	015-715-710
	PARCEL B (PLAN M9356) OF DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT	015-715-736
7166 Riverside Dr	LOT A DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 42560	015-716-228
7166 Riverside Dr	LOT A DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 42561	015-716-236
7166 Riverside Dr	LOT A DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 42562	015-716-252
7146 Riverside Dr.	LOT A DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 42563	015-716-287
7146 Riverside Dr.	LOT A DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 42564	015-716-309
	PARCEL H (PLAN M9356) OF DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT	015-715-795
	PARCEL I (PLAN M9356) OF DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT	015-715-809
	PARCEL J (PLAN M9356) OF DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT	015-715-817
	PARCEL A (X249967) BLOCK 31 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23	010-516-395
7117 riverside Dr.	PARCEL Z (DF 17078) DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23	012-798-029

Background

Over the last 2 years, City Council has met on multiple occasions with Mr. Seven Deers to discuss an opportunity for the City to host an earth lodge and sculpture at the confluence of the Kettle and Granby Rivers.

To capture some of Council's previous discussion and decisions, the following resolutions have been provided.

At the regular Council meeting on April 12, 2021, Council passed the following resolution:

THAT Council instructs staff to work with Mr. Seven Deers and bring back a report with some additional information regarding the project.

At the June 21, 2021, meeting Council passed the following resolution:

THAT Council directs Staff to draft a lease agreement with Mr. Seven Deers as per the terms contained in this report for land located in close proximity to the confluence of the Kettle and Granby rivers; AND THAT Staff be instructed to add/amend the following terms:

- **5 years to begin construction, otherwise the land is returned to the City**
- **Completed in 10 years, otherwise the land is returned to the City**
- **Open to be inclusive of other Indigenous bands/tribes to display art**

AND FURTHER THAT the lease agreement be presented to Council for approval prior to the statutory public notification and signing being completed.

At the June 27th, 2022, Regular Meeting the following recommendation was put forward:

THAT Council direct Staff to proceed with the Zoning amendments required to support the intended use of the partial properties between Riverside Drive 7146 and 7186 as an Earth Lodge,

AND THAT Council approves of the attached draft lease agreement in principle and directs Staff to execute the agreement for the partial properties if the necessary zoning amendments are approved and all subsequent statutory public notice requirements are complete.

Following the recommendation, staff initiated the rezoning process: R-3 (Multi-Family Residential) Zone to CU (Community Use) Zone for the 7 parcels related to the art installation and the 7 adjacent parcels. The adjacent parcels were taken into consideration for rezoning to make the consultation process more efficient and better align zoning and land use designations for anticipated uses due to the diking infrastructure.

Zoning

The table below shows the changes that will result from proposed rezoning:

Zoning Bylaw 2039 section	Current Zoning Designation – R-3	Proposed Zoning Designation – CU
The following uses and no others are permitted	s.40.2 (a)dwelling units; (b)religious centres; (c) home occupations; (d)uses listed in the (Neighbourhood Commercial (NC) zone.	s.56.2 a) libraries; b) museums; c) cemeteries; d) hospital, including medical clinic, dental clinic, ambulance station, rest home or private hospitals; e) post office; f) community events centre; g) community use service; h) open space passive recreational areas; i) municipal, local government or educational buildings, day care centers; j) senior citizen complexes, senior activity centres and congregate care facilities; k) any building or structure operating under a Private-Council partnership agreement.

Official Community Plan (OCP)

Proposed art installation aligns with our OCP. One of our goals is to “Enhance public space and civic amenities to create opportunities for residents and visitors to experience and enjoy living and visiting Grand Forks”. The table below shows key intent and policy conforming points.

Designation	Intent and Policy Alignment
Greater Downtown Neighborhood	Opportunity area for City investment in wayfinding, placemaking and branding. Require developments to incorporate high-quality streetscape elements that build upon the existing character of the City and the broader branding and wayfinding of the Downtown Core, such as landscaped areas, public art, signage, and wayfinding.

Point of Decision

Council's point of decision currently is whether to give Zoning Bylaw No.2039-A26 first and second reading. Giving first and second readings to this amending bylaw would work toward rezoning the 14 parcels from R-3 (Multi-Family Residential) Zone to CU (Community Use) Zone and trigger the Public Hearing process.

Tentative Timeline

Activity	Date (2022)
Recommendation put forward	Jun 27
Staff review document initiated	Jun 27
Referral (Internal) sent to Staff	Jun 28
Referral (External) sent to agencies	Jun 28
RFD for 1st & 2nd readings of Zoning Bylaw Amendment	Jul 11
Notice of public hearing mailed to adjacent property owners	Jul 12
Referral (External) comments back by	Jul 29
Gazette ad #1 published	Aug 3
Gazette ad #2 published	Aug 10
Written comments/feedback from public by	Aug 10
Public hearing	Aug 15
RFD 3 rd reading	Aug 15
MOTI approval of bylaw	Aug 15 – Sep 8
RFD for adoption	Sep 19
Implementation	Sep - Oct

Benefits or Impacts

General

Rezoning to CU (Community Use) Zone will align with the OCP policies and goals.

Finances

Regular costs associate with statutorily required process.

Strategic Impact

- Support Initiatives to Revitalize, Beautify, and Improve Grand Forks
- Continue implementing the Grand Forks Marketing Strategy
- Capitalize on Land Use Opportunities Created by the DMAF Program

Risk Assessment

Compliance:

- Local Government Act – Part 14
- Official Community Plan Bylaw No.1919
- Zoning Bylaw No.2039
- Transportation Act s.52

- Planning Procedures and Fees Bylaw No.1669

Risk Impact:

Low

Internal Control Process:

Staff are following City bylaws and the legislated requirements set out in the Local Government Act.

Next Steps / Communication

Should Council give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A26, staff will continue with the legislative processes.

Attachments

- 1) Property Maps
- 2) Zoning Bylaw Amendment Bylaw No.2039-A26

Recommendation

THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A26

Options

1. THAT Council does not give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A26. This is not recommended as Council directed Staff to proceed with the Zoning amendments required to support this intended use at the June 27th, 2022 regular meeting.

Report Approval Details

Document Title:	220711 RFD ZA2206 EarthLodgeZoningBylawZoningamendment2039_A26_First_SecondReading.docx
Attachments:	- 1 Property Maps_s.pdf - 2 Bylaw 2039-A26_for First and Second.docx
Final Approval Date:	Jul 4, 2022

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Dolores Sheets was completed by assistant Daniel Drexler

Dolores Sheets

Daniel Drexler

Duncan Redfearn