

Request for Decision



To: Regular Meeting
From: **Development and Planning**
Date: July 11, 2022
Subject: Zoning Bylaw Amendment Bylaw No. 2039-A25 first and second reading.
Recommendation: **THAT Council give first and second reading to Zoning Bylaw Amendment Bylaw No. 2039-A25.**

Purpose

For Council to consider giving first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A25. This amending bylaw for lands legally described as PARCEL A (X160413) BLOCK 1 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23, PID 006-115-233, located at 7114 2nd Street, would allow for a cat shelter to be a permitted use on this parcel.

Background

At the June 13th, 2022, Regular Meeting, Resolution #: R170/22/06/13 was carried:

THAT Council direct Staff to proceed with the Zoning amendments required to support the intended use of 7114-2nd Street as an Animal Shelter,

AND THAT Council approves the attached draft lease agreement in principle and directs Staff to execute the agreement for the building located at 7114-2nd Street if the necessary zoning amendments are approved.

Carried

Following Resolution # R170/22/06/13 staff initiated the zoning amendment process.

Zoning

The table below shows the proposed changes. The site-specific amendment only applies to this parcel, and no spatial (mapping) data is proposed for amendment.

| Zoning Bylaw 2039 section | Current Zoning Designation | Proposed bylaw text amendment |
|---|---|--|
| 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.40.18 Site Specific A. In addition to the uses permitted by section 40.2, the following use is permitted on the property located at 7114 2nd Street with parcel identifier number of PID: 006-115-233 and legal description of PARCEL A (X160413) BLOCK 1 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23: (a) Domestic Cat Shelter. |
| Definition | n/a | “Domestic Cat Shelter” means a lot, building, or structure, or part thereof, used for providing care, shelter, veterinary services, adoption services, or rehabilitation to lost, abandoned, or neglected domestic cats, but does not include an animal hospital for other animals or kennel for any animals. |

Official Community Plan (OCP)

The proposed use only partially conforms with the OCP land use designation (Greater Downtown Neighbourhood). However, the parcel provides a central location for this community service that does not take away from business opportunities within the Market District. Further, the parcel presents challenges to residential infill development because it is significantly impacted by the location of the downtown dike. Thus, Council could consider a mixed-use amenity like a cat shelter to be appropriate for this parcel.

| Item | Designation | OCP Land Use Introduction |
|--|-------------------------------|---|
| Land Use Official Community Plan Bylaw No.2089, 2022 | Greater Downtown Neighborhood | The Greater Downtown Neighbourhood is an established neighbourhood of primarily traditional single-family dwellings, with some multi-unit and infill developments. Its proximity to the Downtown Core and its concentration of infrastructure and commercial and mixed-use amenities makes this an important focal point for increased investment and infill. |

Point of Decision

Council's point of decision currently is whether to give Zoning Bylaw No. 2039-A25 first and second readings. Giving first and second readings to this amending bylaw would work toward allowing a cat shelter as a Site-Specific use for this parcel on a R-3 (Multi-Family Residential) Zone and trigger the Public Hearing process.

Tentative Timeline

| Activity | Date (2022) |
|---|----------------|
| Resolution carried | Jun 27 |
| Staff review document initiated | Jun 22 |
| 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

Zoning amendment for this parcel will allow the City to execute the lease agreement with the Society.

Finances

There are no significant financial implications of this zoning amendment application.

Strategic Impact

- Review Animal Control Opportunities
- Support Initiatives to Revitalize, Beautify, and Improve Grand Forks
- Capitalize on Land Use Opportunities Created by the DMAF Program
- Celebrating Community Groups

Risk Assessment

Compliance:

- Local Government Act – Part 14
- Official Community Plan Bylaw No. 2089
- 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-A25, staff will continue with the legislative process required.

Attachments

- 1) Property Maps
- 2) Zoning Bylaw Amendment Bylaw No. 2039-A25

Recommendation

THAT Council give first and second reading to Zoning Bylaw Amendment Bylaw No. 2039-A25.

Options

1. THAT Council does not give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A25. Staff do not recommend this option as Council directed Staff to proceed with the Zoning amendment process to trigger the public engagement.

Report Approval Details

| | |
|----------------------|---|
| Document Title: | 220711 RFD Cat Shelter Zoning Amendment Bylaw-2039A25 first and second reading.docx |
| Attachments: | - 1 Property Maps_S.pdf - 2 Bylaw 2039-A25_for First and Second.docx |
| Final Approval Date: | Jul 5, 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