

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: September 3, 2019

Subject: Proposed Rezoning of the approximately 0.3399 Hectare (0.84 acre) parcel from Highway Commercial to Tourist Commercial.

Recommendation: **THAT Council give Third reading to Zoning Bylaw Amendment 2039-A8 at the September 3, 2019, Regular Meeting.**

Background

On August 12th, 2019 council gave 1st and 2nd readings to Bylaw No. 2039-A8 (See Appendix "A" attached). Appendix "A" also provides background information for this rezoning application.

As per subsection 464(2) of the Local Government Act council may waive the holding of a public hearing because there is an Official Community Plan (OCP) that covers the area and the proposed rezoning bylaw is consistent with the OCP. As per the statutory requirement for public hearings, notice of the public hearing was advertised in the August 21st and August 28th issues of the Grand Forks Gazette (See Appendix "B" attached). A draft copy of Bylaw 2039-A8 is attached as Appendix "C." On August 22nd, 2019 a notification letter was hand delivered to two (2) property owners/tenants within 30 meters of the property boundaries (See Appendix "D" Attached).

On September 3rd, 2019 council heard comments and concerns from the public at the public hearing held for that purpose.

The rezoning application is now before council for third (3rd) reading.

Next Steps

The next steps are as follows:

1. Council considers the rezoning bylaw amendment for third (3rd) reading at the regular meeting on September 3rd, 2019.
2. If passed, the bylaw will be sent to the Ministry of Transportation and Infrastructure for approval (Section 52 of the Transportation Act requirements – development within 800 metres of a controlled access highway).
3. Council would then consider the bylaw for 4th (final) reading on September 16th, 2019, assuming all other conditions for the rezoning have been met.

Summary

The statutory notification requirements for the public hearing respecting Bylaw No. 2039-A8 have been fulfilled. Council has heard comments and concerns from the public and received written submissions at the September 3rd, 2019 public hearing.

Attachments

Appendix “A” – Background Information – for the proposed Rezoning.

Appendix “B” – Copy of the Grand Forks Gazette ads.

Appendix “C” – DRAFT copy of Bylaw 2039-A8.

Appendix “D” – Notice to Property Owners.

Recommendation

THAT Council give Third reading to Zoning Bylaw Amendment 2039-A8 at the September 3, 2019, Regular Meeting.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	2019-09-03-Bylaw-2039-A8-ZA1908-3rdReading.docx
Attachments:	<ul style="list-style-type: none">- 20190903-ZA1908-AppendixA Rezone 7351 Hwy 3 FirstSecond - COPY FROM COUNCIL AGENDA.pdf- 20190903-ZA1908-AppendixB Gazette Ad Rezoning 7351 Hwy 3.pdf- 20190903-ZA1908-AppendixC DRAFT_Bylaw_2039-A8_Rezoning.pdf- 20190903-ZA1908-AppendixD 7351 Hwy3 Notice 30m Property Owners.pdf
Final Approval Date:	Aug 27, 2019

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

Dolores Sheets - Aug 27, 2019 - 2:00 PM

Diane Heinrich - Aug 27, 2019 - 3:03 PM