

Request for Decision



To: City Council

From: **Development, Engineering & Planning**

Date: September 3, 2019

Subject: BACKGROUND INFORMATION for Public Hearing on September 3, 2019 (6 pm) – Bylaw No. 2039-A8 Proposed Rezoning of the approximately 0.3399 Hectare (0.84 acre) parcel from Highway Commercial (HC) to Tourist Commercial (TC).

Background

On August 12th, 2019 Council gave first and second 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 this 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).

Submissions Received

Submissions received thus far in relation to this rezoning application include:

1. The Regional District of Kootenay Boundary advised that they have no concerns on the rezoning.
2. Interior Health has made enquiries and were provided with additional information but have expressed no concerns to date.
3. No other referral agencies have responded to date.
4. A person identifying himself as an adjacent property owner expressed some concern that noise emanating from the permitted uses in the Tourist Commercial zoning would be more than that from the existing Highway Commercial zone.

Next Steps

The next steps are as follows:

1. Council will hear comments and receive written submissions at the public hearing.
2. Council will then consider the rezoning bylaw amendment for third (3rd) reading at the regular meeting on September 3rd, 2019.
3. 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).

4. 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. The comments received thus far on the proposed rezoning have been summarized above. Council will consider the bylaw for 3rd reading, at its regular meeting on September 3rd, 2019 after duly considering the views and written submissions received at the 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.

Report Approval Details

Document Title:	2019-09-03-Bylaw-2039-A8-ZA1908-PubHearing.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 23, 2019

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

Dolores Sheets - Aug 23, 2019 - 10:27 AM

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Aug 23, 2019 - 12:12 PM