

**THE CORPORATION OF THE CITY OF GRAND FORKS
 AGENDA – PUBLIC HEARING MEETING
 Monday, January 11th, 2016 at 6:00 pm
 7217 - 4th Street, City Hall Council Chambers**

<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1.	<u>PRESENTATIONS</u>	
2.	<u>CALL TO ORDER</u>	
3.	<u>ADOPTION OF AGENDA</u>	
4.	<u>MINUTES</u>	
5.	<u>REGISTERED PETITIONS AND DELEGATIONS</u>	
6.	<u>UNFINISHED BUSINESS</u>	
7.	<u>REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY</u>	
8.	<u>RECOMMENDATIONS FROM STAFF FOR DECISIONS</u>	
	a) Manager of Development & Engineering RFD - Mgr of Dev & Eng - Saini Rezoning	To amend the current Zoning Bylaw by rezoning property legally described as Lot 3, District Lot 653, S.D.Y.D., Plan 3072 Except Plan H17066 from the current TC (Tourist Commercial) zone to the HC (Highway Commercial) zone.
		THAT Council hold the Public Hearing as advertised, allowing any person present who believes that his or her intent in the property is effected by the proposed bylaw be given the opportunity to be heard on matters contained in the bylaw, and ensuring that, as a Council, hearing from the public is required to take all submissions and to base a decision on the facts relevant to the rezoning request, within the parameters set out in the Sustainable Community Plan and the existing Zoning Bylaw.
9.	<u>REQUESTS ARISING FROM CORRESPONDENCE</u>	
10.	<u>INFORMATION ITEMS</u>	
11.	<u>BYLAWS</u>	
12.	<u>LATE ITEMS</u>	
13.	<u>QUESTIONS FROM THE PUBLIC AND THE MEDIA</u>	
14.	<u>ADJOURNMENT</u>	

REQUEST FOR DECISION

— PUBLIC HEARING —



To: Mayor and Council
From: Applicants, Balbir & Amritpal Saini
Manager of Development & Engineering
Date: January 11, 2016
Subject: To amend the current Zoning Bylaw by rezoning property legally described as Lot 3, District Lot 653, S.D.Y.D., Plan 3072 Except Plan H17066 from the current TC (Tourist Commercial) zone to the HC (Highway Commercial) zone.

Recommendation: **RESOLVED THAT COUNCIL HOLD THE PUBLIC HEARING AS ADVERTISED, ALLOWING ANY PERSON PRESENT WHO BELIEVES THAT HIS OR HER INTENT IN THE PROPERTY IS EFFECTED BY THE PROPOSED BYLAW BE GIVEN THE OPPORTUNITY TO BE HEARD ON MATTERS CONTAINED IN THE BYLAW, AND ENSURING THAT, AS A COUNCIL, HEARING FROM THE PUBLIC IS REQUIRED TO TAKE ALL SUBMISSIONS AND TO BASE A DECISION ON THE FACTS RELEVANT TO THE REZONING REQUEST, WITHIN THE PARAMETERS SET OUT IN THE SUSTAINABLE COMMUNITY PLAN AND THE EXISTING ZONING BYLAW.**

BACKGROUND: The City is in receipt of an application to rezone property located at 6401 Highway #3, legally described as Lot 3, District Lot 653, S.D.Y.D., Plan 3072 except Plan H17066, from the TC (Tourist Commercial) zone to the HC (Highway Commercial) zone. The land use designation for this property in the Sustainable Community Plan (SCP) is HT (Highway & Tourist Commercial) and the property is located in the Commercial Development Permit area.

The property is 4.12 acres (~1.67 hectares) in size and the rear lot line abuts the Kettle River and is located in the floodplain. The adjacent property on the east side is zoned Highway Commercial and the adjacent property on the west side is zoned Tourist Commercial.

The proposed rezoning does not affect the SCP in that the designation allows for highway and tourist commercial uses, so an amendment to the SCP is not required.

The applicant wishes to fully utilize the property and the HC zoning would allow for restaurants, auto sales and parts supply, service stations, convenience stores including gas bars, car wash establishments and retail sales. The property is not serviced with City water or sewer, rather, the property is serviced by a well and septic.

REQUEST FOR DECISION

— PUBLIC HEARING —



At the November 9, 2015 Committee of the Whole meeting the Committee recommended that Council direct Staff to draft the appropriate amendment bylaw and proceed with notification to surrounding property owners, publish notice in two consecutive issues of the Gazette and hold a public hearing in accordance with the Local Government Act.

At the November 9, 2015 Regular meeting, Council directed Staff to draft the appropriate bylaw and proceed with notification to surrounding property owners, publish notice in two consecutive issues of the Gazette and hold a public hearing in accordance with the Local Government Act.

On November 10, 2015 Staff sent referral requests to various agencies for comment on the proposed rezoning.

At the December 14, 2015 Regular meeting, Council gave 1st and 2nd readings to Bylaw No. 1606-A4 being the "Zoning Amendments Bylaw No. 1606-A4, 2016" and staff proceeded with the statutory requirements for amending bylaws in the Local Government Act.

On December 21, 2015, letters were sent to the surrounding property owners informing them of the date, time and place of the Public Hearing.

City Staff scheduled a public hearing for January 11, 2016 @ 6:00p.m. in Council Chambers at City Hall and published notice of the hearing in the December 30th, 2015 and January 6th, 2016 editions of the Grand Forks Gazette.

Benefits or Impacts of the Recommendation:

- General:** The request is consistent with the vision of the SCP and would allow the applicant the opportunity to use the property to its fullest potential.
- Strategic Impact:** N/A
- Financial:** The City's cost of rezoning, including advertising is covered by the application fees charged for rezoning applications.
- Policy/Legislation:** The Local Government Act outlines the requirements for the holding of public hearings.
- Attachments:**
- Draft Bylaw 1606-A4;
 - Notice of Public Hearing Advertisement and Map
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REQUEST FOR DECISION

— PUBLIC HEARING —



Recommendation: RESOLVED THAT COUNCIL HOLD THE PUBLIC HEARING AS ADVERTISED, ALLOWING ANY PERSON PRESENT WHO BELIEVES THAT HIS OR HER INTENT IN THE PROPERTY IS EFFECTED BY THE PROPOSED BYLAW BE GIVEN THE OPPORTUNITY TO BE HEARD ON MATTERS CONTAINED IN THE BYLAW, AND ENSURING THAT AS A COUNCIL, HEARING FROM THE PUBLIC IS REQUIRED TO TAKE ALL SUBMISSIONS AND BASE A DECISION ON THE FACTS RELEVANT TO THE REZONING REQUEST, WITHIN THE PARAMETERS SET OUT IN THE SUSTAINABLE COMMUNITY PLAN AND THE EXISTING ZONING BYLAW.

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- OPTIONS:**
- 1. COUNCIL PROVIDES THE OPPORTUNITY FOR THE PUBLIC TO MAKE THEIR VIEWS KNOWN ON THE MATTERS CONTAINED IN THE BYLAW AT THE PUBLIC HEARING.** This option will allow the public the opportunity to be heard as outlined in the Local Government Act. It is the duty of Council to receive submissions and relevant questions and keep an open mind before making the final decision. Council can seek advice from Staff and receive additional reports from Staff based on the public's submissions.
 - 2. COUNCIL MAY DECLINE TO HOLD THE PUBLIC HEARING AND DENY REZONING AND FURTHER PUBLIC PROCESS.** There is no option not to hold the public hearing, inasmuch as it has been duly advertised.
 - 3. COUNCIL REFERS BACK TO STAFF FOR FURTHER INFORMATION.**

	
Department Head or CAO	Chief Administrative Officer

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1606-A4

**A BYLAW TO AMEND THE CITY OF GRAND FORKS
ZONING BYLAW NO. 1606, 1999**

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WHEREAS Council may, by bylaw, amend the provisions of a Zoning Bylaw pursuant to the provisions of the Local Government Act;

AND WHEREAS Council has received an application to rezone property located at 6401 Highway #3;

NOW THEREFORE Council for the Corporation of the City of Grand Forks, in open meetings assembled, **ENACTS** as follows:

1. That the City of Grand Forks Zoning Bylaw No. 1606, 1999 be amended to rezone property located at 6401 Highway #3, legally described as Lot 3, District Lot 653, S.D.Y.D., Plan 3072 from the current TC (Tourist Commercial) zone to the HC (Highway Commercial) zone, as shown outlined in bold on the attached map identified as Schedule "A".
2. That this Bylaw may be cited as the "**City of Grand Forks Zoning Amendment Bylaw No. 1606-A4, 2016.**"

Read a **FIRST** time this 14th day of December, 2015.

Read a **SECOND** time this 14th day of December, 2015.

NOTICE OF PUBLIC HEARING ADVERTISED, pursuant to the Local Government Act this 30th day of December, 2015 and also this 6th day of January, 2016.

PUBLIC HEARING HELD this 11th day of January, 2016.

Read a **THIRD** time this ____ day of _____, 2016.

APPROVED by the Ministry of Transportation & Infrastructure this ____ day of _____, 2016.

Approving Officer

The City of Grand Forks Zoning Amendment Bylaw No. 1606-A4, 2016

FINALLY ADOPTED this ____ day of _____, 2016.

Mayor Frank Konrad

Corporate Officer – Diane Heinrich

CERTIFICATE

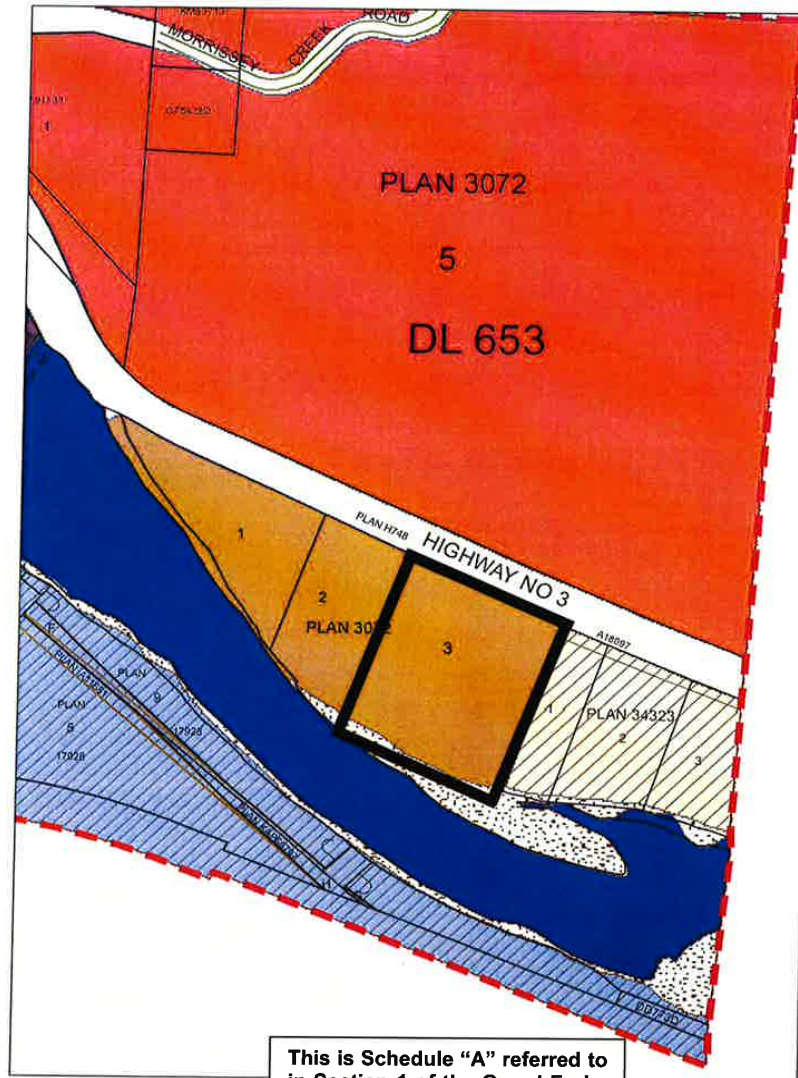
I hereby certify the foregoing to be a true copy of Bylaw No. 1606-A4 as passed by the Municipal Council of the City of Grand Forks on the ____ day of _____, 2016.

Corporate Office for the
Municipal Council of the City of Grand Forks

The City of Grand Forks Zoning Amendment Bylaw No. 1606-A4, 2016

**CITY OF GRAND FORKS
ZONING MAP**

SCHEDULE "A"



This is Schedule "A" referred to in Section 1 of the Grand Forks Zoning Amendment Bylaw No. 1606-A4, 2016.

Date of Adoption

Corporate Officer

THE CORPORATION OF THE CITY OF GRAND FORKS

NOTICE OF PUBLIC HEARING

WHEREAS the Local Government requires that a **PUBLIC HEARING** be held prior to the adoption of a Zoning Amendment Bylaw;

TAKE NOTICE THAT a Public Hearing with respect to the City of Grand Forks Bylaw 1606 A-4, cited as the "City of Grand Forks Zoning Amendment Bylaw No. 1606 A-4, 2016, will be held on:

Monday, January 11, 2016
At 6:00 p.m.
In Council Chambers, City Hall
7217-4th Street
Grand Forks, B.C.

Bylaw 1606 A-4 is intended to amend the City of Grand Forks Zoning Bylaw No. 1606, 1999, by rezoning property legally described as Lot 3, District Lot 653, S.D.Y.D., Plan 3072 from the current TC (Tourist Commercial) zone to the HC (Highway Commercial) zone, as shown outlined in bold on the attached map.

(insert map)

APPLICANTS: Balbir & Amritpal Saini
PROPERTY LOCATION: 6401 Highway #3

The proposed bylaw may be inspected between the hours of 9:00 a.m. to 4:00 p.m., Monday through Friday (excluding holidays) until January 8, 2016 at City Hall, 7217-4th Street, Grand Forks, B.C.

Dated this 30th day of December, 2015.

Dolores Sheets
Manager of Development & Engineering



THE CORPORATION OF THE
CITY OF GRAND FORKS

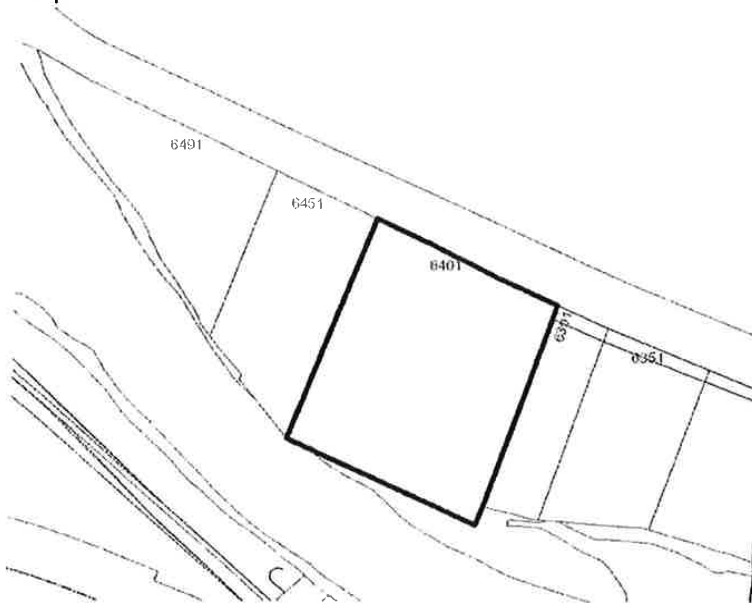
NOTICE OF PUBLIC HEARING

WHEREAS Part 26, Division 4 of the Local Government Act requires that a **PUBLIC HEARING** be held prior to the adoption of a Zoning Amendment Bylaw;

TAKE NOTICE THAT a Public Hearing with respect to the proposed zoning amendment bylaw, cited as the "City of Grand Forks Zoning Amendment Bylaw No. 1606-A4, 2015" will be held on:

Monday, January 11, 2016 at 6:00pm
in Council Chambers at City Hall, 7217-4th Street, Grand Forks, B.C.

Bylaw No. 1606-A4 is intended to amend the "City of Grand Forks Zoning Bylaw No. 1606, 1999", by rezoning property legally described as Lot 3, District Lot 653, S.D.Y.D., Plan 3073 except Plan H17066 from the current TC (Tourist Commercial) zone to HC (Highway Commercial) zone, as shown outlined in bold on the attached map.



APPLICANT(S): Balbir & Amritpal Saini
PROPERTY LOCATION: 6401 Highway 3.

The proposed bylaw may be inspected between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (excluding holidays) until January 8, 2016 at City Hall, 7217-4th Street, Grand Forks, B.C.

Dated this 30th day of December, 2016.
Sasha Bird, ASCT
Manager of Development & Engineering