



AGENDA
DISTRICT OF PORT HARDY
COMMITTEE OF THE WHOLE MEETING
6:45 PM TUESDAY JANUARY 9, 2018
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET

Mayor: Hank Bood
Councillors: Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, John Tidbury and Leightan Wishart

Staff: Allison McCarrick, CAO; Abbas Farahbakhsh, Director of Operational Services; Adrian Maas, Director of Financial Services; Heather Nelson-Smith, Director of Corporate Services; Leslie Driemel, Recording Secretary

<u>Page</u>		Time:	
	A. CALL TO ORDER		
	B. APPROVAL OF AGENDA		
	Motion required	1.	2.
	C. STAFF REPORTS		
1-5	1. Heather Nelson-Smith, Director of Corporate Services (Jan.3/18) re: Zoning Amendment - 7305 Market Street.		
	D. NEW BUSINESS		
	No new business		
	E. ADJOURNMENT		
	Motion required	1.	2.
			Time:



DISTRICT OF PORT HARDY STAFF REPORT

TO: Allison McCarrick, CAO
FROM: Heather Nelson-Smith, Director of Corporate Services
SUBJECT: Zoning Amendment 7305 Market Street
DATE: January 3, 2018

BACKGROUND

An application for a zoning amendment has been made by the Salvation Army to allow for the use of 7305 Market Street as an Emergency Shelter.

7305 Market Street is currently and will continue to be utilized as office space for Island Health and a day care facility. The applicant will be looking to move the Salvation Army Lighthouse Resource Centre, which includes the following services:

- Breakfast and hot lunch
- Shower and laundry facilities
- Personal care, clothing and food assistance
- Internet
- Prayer support
- Legal services
- Healing circle
- Nurse practitioner services
- AA meetings
- Mental health care services
- Extreme Weather Response
- Sobering and Assessment Program

CURRENT ZONING

the property is currently zoned C-3 which allows the following uses:

- Assembly
- Combined Commercial and Residential Use
- Family Resource Centre
- Financial Institution
- Hotel
- Licenced Premises
- Personal Service Establishment
- Professional Service Establishment
- Restaurant
- Retail Sales

OFFICIAL COMMUNITY PLAN

- Ensure that there are comprehensive and holistic "cradle to grave" healthcare services and facilities made available including mental health and addiction services;
- To support the provision of providing sound primary healthcare services for the community, including alternative health and wellness practices;
- Support area location for a multi-faceted health unit or wellness centre within the District;

- Encourage the use of comprehensive development zones for new development areas.

SUPPORTIVE ZONING/ OCP AMENDMENT

The District does not have a definition that would allow for the Extreme Weather Response or a Sobering and Assessment Program which allow for overnight accommodations up to 24 hours. Residential use is not meant for short term stay and the definition of hotel is intended for tourists.

Proposed definition addition:

'Emergency Shelter' means a use staffed and supervised by a public authority or non-profit agency for the purposes of providing temporary sleeping accommodation for people in need of emergency shelter on a short-term basis (to a maximum of ___ days). Emergency Shelter use includes drop-in and meal services as well as accessory administration and office space for use by program staff.

Proposed Comprehensive Development Zone:

It would be valuable to redefine the entire buildings zoning, rather than just adding the provision of Emergency Shelter use on top of commercial use. This would mean that the current zoning which included licensed premises, restaurant, retail sales and hotel use would be removed.

Combining some of the principle uses from Commercial 3 and Institutional Zoning with the provision of Emergency Shelter will harmonize the property's use.

Proposed principle permitted uses:

- Assembly
- Family Resource Centre
- Professional Service Establishment
- Personal Service Establishment
- Emergency Shelter

Note: the author is still working with the applicant to refine the permitted uses.

RECOMMENDATION

Council direct staff to continue with the steps included in a Zoning and Official Community Plan amendment including but not limited to the following:

- Preparing bylaw amendments
- Notifying the applicant to post signage stating the proposed amendment
- Notifying the neighbouring properties of the proposed change
- Notifying provincial agencies
- Scheduling a public hearing
- Advertising a public hearing

Respectfully submitted,



Heather Nelson-Smith, DCS

I agree with the recommendation.



Allison McCarrick, CAO

7.3 C-3: Town Centre Commercial

- (a) The following principal uses are permitted:
- (1) Assembly
 - (2) Combined Commercial and Residential Use
 - (3) Family Resource Centre
 - (4) Financial Institution
 - (5) Hotel
 - (6) Licenced Premises
 - (7) Personal Service Establishment
 - (8) Professional Service Establishment
 - (9) Restaurant
 - (10) Retail Sales
- (b) The following accessory uses are permitted:
- (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Minor Home Occupation accessory to a dwelling as part of a Combined Commercial and Residential Use (see section 3.12)
- (c) The following conditions of use apply:
- (1) No goods or merchandise offered for sale or rent shall be stored or displayed within the front yard setback.
- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 6.0 metres (19.69 feet)	Minimum of 6.0 metres (19.69 feet)
Rear Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard	Minimum of 0.0 metres (0.0 feet)	Minimum of 1.0 metre (3.28 feet)
Interior Side Yard or Rear Yard Abutting a Residential Zone	Minimum of 3.0 metres (9.84 feet)	Minimum of 3.0 metres (9.84 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	11.0 metres (36.08 feet)	
Maximum Parcel Coverage	75%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.2 feet)	
Minimum Parcel Depth	30.0 metres (98.43 feet)	

10.2 P-2: Institutional

- (a) The following principal uses are permitted:
 - (1) Activities Directed at Protecting and / or Enhancing the Natural Environment
 - (2) Assembly
 - (3) Civic Use
 - (4) Community Care Facility
 - (5) Day Care Facility
 - (6) Hospital
 - (7) Recreational Facilities and Sports Fields
 - (8) Education Services
 - (9) Exhibition Grounds
 - (10) Family Resource Centre
 - (11) Professional Service Establishments - see section 10.2(c)(2)
 - (12) Funeral Homes (Added: BYL 1052-2016)

- (b) The following accessory uses are permitted:
 - (1) Restaurant
 - (2) Retail Sales

- (c) The following conditions of use apply:
 - (1) Accessory commercial uses (Restaurant and Retails Sales), if located within a building, shall not exceed 100 square metres (1,076.39 square feet) of gross floor area each.
 - (2) Only services related to the provision of dental and medical care are permitted as a Professional Service Establishment.

- (d) The following siting, size and dimension requirements apply:

Setbacks		
Yard Setback	Principal Use	Accessory Use
Front Yard	Minimum of 7.0 metres (22.97 feet)	Minimum of 7.0 metres (22.97 feet)
Rear Yard	Minimum of 7.0 metres (22.97 feet)	Minimum of 2.0 metres (6.56 feet)
Interior Side Yard	Minimum of 3.0 metres (9.84 feet)	Minimum of 2.0 metres (6.56 feet)
Exterior Side Yard	Minimum of 4.5 metres (14.76 feet)	Minimum of 4.5 metres (14.76 feet)
Size of Buildings and Structures		
Maximum Height (Principal and Accessory Buildings and Structures)	10.0 metres (32.8 feet)	
Maximum Parcel Coverage	50%	
Parcel Area and Dimensions		
Minimum Parcel Area	450.0 square metres (4,843.76 square feet)	
Minimum Parcel Width	15.0 metres (49.21 feet)	
Minimum parcel Depth	30.0 metres (98.43 feet)	

District of Port Hardy Rezoning Process



Applicant has an idea on how they want to use their property

Applicant researches bylaws, policies and requests a meeting with development staff to discuss the application process

Submit Application

- Ensure all submission requirements are provided
- Incomplete applications will be returned

Comprehensive Review

- Internal and external agencies comments received
- Possible referral to Community Consultative Committee
- Submission of revised plans and additional document (if required)
- Staff's position formalized

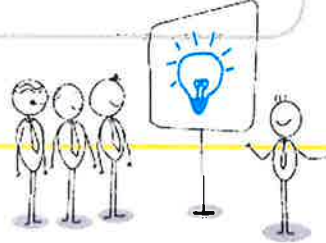


Council initial consideration 1st reading

- Report formalizing staff's recommendation prepared for Council
- Date & advertising established for upcoming public hearing

Public Hearing

- Presentation to Council by Applicant
- Opportunity for public to speak on development proposal



Council 2nd/3rd reading

- Council considers 2nd and 3rd reading
- Servicing upgrades for Development Engineering branch must be satisfied
- Bonding & related fees to be submitted prior to final adoption

Legal Documentation

- Register covenant, rights of ways and dedication plans (applicant responsible for all legal fees)
- Bylaw sent to Min. of Transportation (if necessary)



FINISH

Council 4th reading

- Rezoning complete
- Consideration of DP & DVP's (if required)