



September 27, 2023

Our File No. 3360 20 146
Bylaw No. 784, 2023

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held on Wednesday, October 11, 2023, via Microsoft Teams and in person at the Regional District of Kitimat-Stikine 1st Floor Board Room at 4545 Lazelle Avenue, commencing at 6:00 pm to receive representation from all persons who deem their interests in property to be affected by the proposed bylaw:

Regional District of Kitimat-Stikine Specified Portion of Electoral Area E, Thornhill Zoning Amendment Bylaw No. 784, 2023

In general terms, the intent is to amend the Thornhill Zoning Bylaw to rezone the subject property from the Neighbourhood Commercial (C2) zone to the Two-Family Residential (R2) zone. The purpose of this rezoning is to rezone the subject property to legitimize the existing residential use. The subject property is located at 2390 Hemlock Street.

It is requested that all submissions be in writing and addressed to:

Public Hearing Committee (Bylaw No. 784, 2023)
Regional District of Kitimat-Stikine
#300-4545 Lazelle Avenue
Terrace B.C. V8G 4E1

Public Hearing Details:

Any person(s) wishing to provide input regarding this application are requested to do so in writing to the Regional District Board via email at planning@rdks.bc.ca or by letter, mailed or delivered to 300-4545 Lazelle Avenue, Terrace, BC, V8G 4E1 no later than 4:30 p.m., Tuesday, October 10, 2023, and please quote "Bylaw No. 784, 2023", in your written submission. If you wish to provide verbal representation in the public hearing, please either attend in person, or request a link to the virtual meeting by emailing planning@rdks.bc.ca or call the Development Services Department at 250-615-6100, no later than 4:30 p.m., Tuesday, October 10, 2023.

The public hearing on Bylaw No. 784, 2023, will be held by a delegation of Directors of the Regional District Board or their designated alternates. A copy of the Board resolution making the delegation, the application, and the proposed Bylaw No. 784, 2023 may be inspected online and between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, excluding holidays, in the office of the Regional District of Kitimat-Stikine, 300-4545 Lazelle Avenue, Terrace, BC. For enquiries concerning this application, contact the Development Services Department at 250-615-6100, 1-800-663-3208 (toll free), or planning@rdks.bc.ca.

NOTE: Site drawing is on the back of this page



3624

Old Lakelse Lake Drive

2397

2387

2377

2369

2359

Hemlock Street

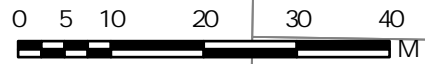
2390

2374

2366

2354

3616



AREA SUBJECT TO REZONING



Schedule A of the Regional District of Kitimat-Stikine Thornhill Zoning Amendment
Bylaw No. 784, 2023
Amends Bylaw No. 194

Parcel A (See TB4309)
District Lot 4000
Range 5 Coast District
Plan 8213

PID: 010-676-261

Chairperson

Director of Administration

Date of Adoption



Regional District of
Kitimat-Stikine



To: Lina Gasser, CAO, for the Planning Committee
From: Benafshaw Dashti, Planner III
Date: September 15, 2023
Re: Zoning Amendment Application No. 146, 2023 - 2390 Hemlock Street, Thornhill (Electoral Area E)

Attachments:

[Attachment #1-Application](#)

[Attachment #2-Location Map](#)

[Attachment #3-Draft Bylaw No. 784, 2023](#)

Recommendation:

1. THAT under the Bylaw section of the Agenda, Kitimat-Stikine Specified Portion of Electoral Area E, Thornhill Zoning Amendment Bylaw No. 784, 2023, for Zoning Amendment Application No. 146, 2023 at 2390 Hemlock Street, Thornhill, be introduced and given first and second readings; and 2. That the Board authorize staff to set the Public Hearing date; and 3. THAT the Board appoint Directors of Electoral Area E, C, and City of Terrace or their delegates to the Public Hearing Committee.

Background:

The Regional District has received an application for a zoning bylaw amendment to rezone property located at 2390 Hemlock Street, from C2 – Neighbourhood Commercial to R2 - Two Family Residential (**Attachment #1**).

Subject Property

The subject property is located at 2390 Hemlock Street in Thornhill (**Attachment #2**). The property is a corner lot on an arterial road with transit service (BC Transit Route 45). Surrounding land uses include large mobile home parks located immediately to the north and east, and residential lots to the west and south. Currently on the property there exists a single-story building and a mobile home. Historically, the single-story building was used as a neighbourhood convenience store and a restaurant, which were permitted by zoning. The existing mobile home was permitted as an accessory caretaker residence when the neighbourhood convenience store was operating. The applicant has since converted the interior of the single-story structure into two self-contained residential units, effectively converting the building from commercial to residential (duplex).

The subject property currently has a Temporary Use Permit (TUP No. 007) that permits the current residential use. TUP No. 007 was initially issued by the Board in 2019 and permits a duplex and a mobile home on the property that would otherwise not be permitted by the Thornhill Zoning Bylaw No. 194. The applicant applied to renew the permit for an additional 3 years. The TUP is valid until March 2025. The property owner is in the process to sell the subject property and a condition of sale is to rezone to R2.



Existing zoning and Official Community Plan designations

The subject property is zoned Neighbourhood Commercial (C2) in the Thornhill Zoning Bylaw No. 194. C2 zone permitted uses include commercial uses such as a neighbourhood grocery/convenience store, restaurants, retails, offices, and a caretaker residence. The subject property is designated Residential in the Thornhill Official Community Plan 2020 (OCP).

Proposed Zoning Bylaw Amendment

The applicant is proposing to rezone the property to R2 - Two Family Residential to allow for the existing operations to continue on a permanent basis.

Thornhill Advisory Planning Commission

This application was referred to the Thornhill Advisory Planning Commission (APC) for their review and comment at their September 5 meeting. The applicant was present at the meeting as well. APC members in attendance discussed the application and were all in support of the recommendation to proceed to public hearing.

Notification and advertising

Should the Board give Thornhill Zoning Amendment Bylaw No. 784, 2023 (**Attachment #3**) first and second readings on September 15, staff will schedule the Public Hearing and advertise in the Terrace Standard and on the Regional District website. Staff will also send notices to property owners and occupants within 100m of the subject property. A rezoning sign will also be posted at the front of the subject property, visible from Hemlock Street. Any written submissions received in response to the notifications and advertising will be forwarded to the Board for consideration.

Summary

The applicant/property owner is unable to seek/operate a viable commercial use on the subject property and the proposed rezoning will permanently legitimize the residential uses (duplex) on the property in keeping with the Residential designation in the OCP. The existing mobile home will be legal non-conforming. The residential lots to the west and south of the subject property are zoned R2 and this rezoning will be consistent with the neighbouring lots. There is a critical lack of available, affordable rental housing in Thornhill as identified in the December 2020 Greater Terrace Housing Needs Report and all three units are currently used as rentals. Further, over the period of three plus years since the TUP was issued, the Regional District has not received any complaints or concerns regarding the temporary uses on the subject property.

From a planning perspective, this application is supportable and the recommendation is to move forward with a public hearing to gain community input.

Financial Implications:

There are no financial implications associated with this report.



Strategic Plan Objectives:

- Sustainable Service Delivery

Voting Structure:

ENTITLEMENT	HOW VOTE COUNTED
Participants; Unweighted (Electoral Area Directors)	Majority

Prepared by:

Benafshaw Dashti, Planner III

Approved By:

Marc Schibli, CFO

Renee Lukasser, Director of Administration/HR

Lina Gasser, CAO

Status:

Approved - 06 Sep 2023

Approved - 07 Sep 2023

Approved - 07 Sep 2023

Schedule G1

Application/File No. 146

**Regional District of Kitimat-Stikine
Application for Zoning Amendment**

We hereby make application to (Check appropriate box) :

- Amend the text of Zoning Bylaw No. 194 (fill out Proposed Text on page 2)
- Rezone the below listed property: From C-2 Zone, to R12 Zone

1. **Property Information** (for property rezoning applications only):

- a. Legal Description: DL 400 RANG 5 COAST
DISTRICT Parcel 8213 CSA# 430129
- b. PID No.: 010-676-261 c) Folio No.: 788 012-155-000
- c. Location (Street address of property, or general description) 2390.
HEALOCK THORNHILL BC. 1866-5B4

2. **Applicant** (complete for both text amendment and rezoning applications):

Applicant's Name: GRASLY CRUISE LOGGING LTD Dan Kirkby
 Address: [Redacted] Postal Code: V86-0B3
 Telephone: Business: [Redacted] Home: _____

Aug 20/2023 _____
 Date Applicant's Signature

3. **Registered Property Owner** (for property rezoning applications only):

Registered Property Owner's Name: GRASLY CRUISE LOGGING LTD
 Address: [Redacted] Postal Code: [Redacted]
 Telephone: Business: [Redacted] Home: _____

This application is made with my full knowledge and consent.

Aug 20/2023 _____
 Date Property Owner's Signature

****Where the Rezoning Applicant is NOT the REGISTERED OWNER, the application must be signed by the REGISTERED OWNER or his/her solicitor.****

Notice of Collection of Personal Information:

The information collected on this form will be used to process the application and for the purposes of administration and enforcement. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the Regional District of Kitimat-Stikine. Information submitted may be made available for public inspection pursuant to the Freedom of Information and *Protection of Privacy Act*. Contact the Regional District of Kitimat-Stikine's Freedom of Information Officer if you have any questions regarding the use of this information.

4. Proof of Ownership (for property rezoning only):

A copy of a State of Title Certificate or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as proof of ownership.

Proof of Ownership received

5. Application Fee:

An Application Fee of _____ as set out in the *REGIONAL DISTRICT OF KITIMAT-STIKINE DEVELOPMENT APPROVAL AND NOTIFICATION PROCEDURES BYLAW NO. 613 2012*, shall accompany the application and be made payable to the: **Regional District of Kitimat-Stikine.**

6. Proposed Text Amendment (for text amendment applications only):

Describe text Amendment: _____

7. Subject Property Description (for property rezoning applications only):

a. Present zoning of the property: C2

b. Proposed zoning of the property: RR2

c. Located in ALR: YES _____ NO

d. Size of Property (number of parcels and area of each): _____

e. Description of existing use / development on the property: TOP

THREE PRG 3 RESIDENTIAL RENTAL
UNITS.

f. Description of proposed use / development (use separate sheet if necessary): _____

THREE RESIDENTIAL RENTAL UNITS
RR-2 DUPLEX & MOBILE HOMES

g. Services currently existing or readily available to the property (check those that apply):

Services	Currently		Readily Available *	
	Yes	No	Yes	No
Road Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Supply: on-site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Supply: community	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal: on-site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydro Power	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: * Readily Available means existing services can easily be extended to the subject property.

h. Proposed Water Supply Method: _____

i. Proposed Sewage Disposal Method: _____

j. Anticipated start date of proposed project: _____

8. Reasons in Support of the Application: (why application should be approved)

IT IS NOW & HAS BEEN 3
RENTAL UNITS FOR THE LAST 6
YEARS. UNDER & TOP.

THERE IS A HUGE NEED FOR
RESIDENTIAL UNITS IN TERRACE.
IF THIS WAS NOT APPROVED, IT
WOULD PLACE 3 FAMILIES WITH OUT
A PLACE TO LIVE. THEY ARE
ALL LONG TERM TENANTS. THE
NEIGHBORHOOD IS VERY HAPPY WITH
HOW IT OPERATES NOW.

9. Attachments:

The following information is required before the permit may be processed:

- k. A Sketch Plan with dimensions, drawn to a scale of _____ to _____ showing, the parcel(s) to be rezoned and the location of existing buildings, structures, property access, utilities and on-site sewage disposal systems, etc.

REQUIRED: YES _____ NO X

- l. A Site Development Plan with dimensions, drawn to a scale of _____ to _____ showing, the proposed use, buildings/structures and access.

REQUIRED: YES _____ NO X

- m. A Contour Map (plan) drawn to a scale of _____ to _____ with contour intervals of _____, of the subject site.

REQUIRED: YES _____ NO X

- n. A Sketch Plan with dimensions, drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: YES _____ NO X

- o. Technical information or reports and other information required to assist in the preparation of a Regional District staff reports are listed below:

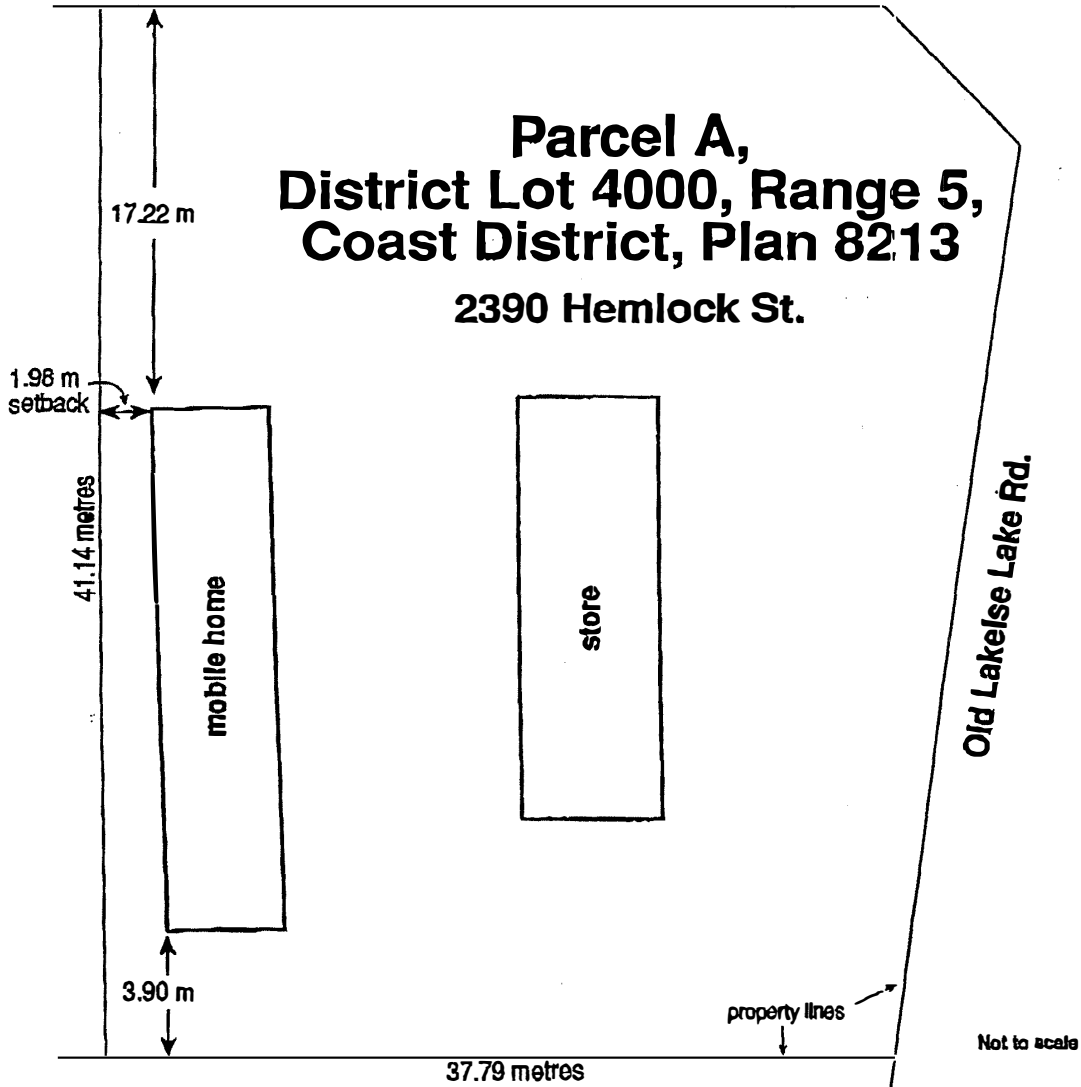
Specific Reports:

****IN ORDER TO BE CONSIDERED AT THE NEXT REGIONAL DISTRICT BOARD MEETING ALL APPLICATIONS MUST BE COMPLETED IN FULL AND SUBMITTED AT LEAST 15 DAYS PRIOR TO THE NEXT SCHEDULED BOARD MEETING.****

For Office Use Only:		
Application Fee: \$	<u>700.00</u>	Received: <u>✓</u> Receipt No.: _____
Date	<u>Aug 22, 2023</u>	Signature of Official <u>[Signature]</u>

LOCATION:

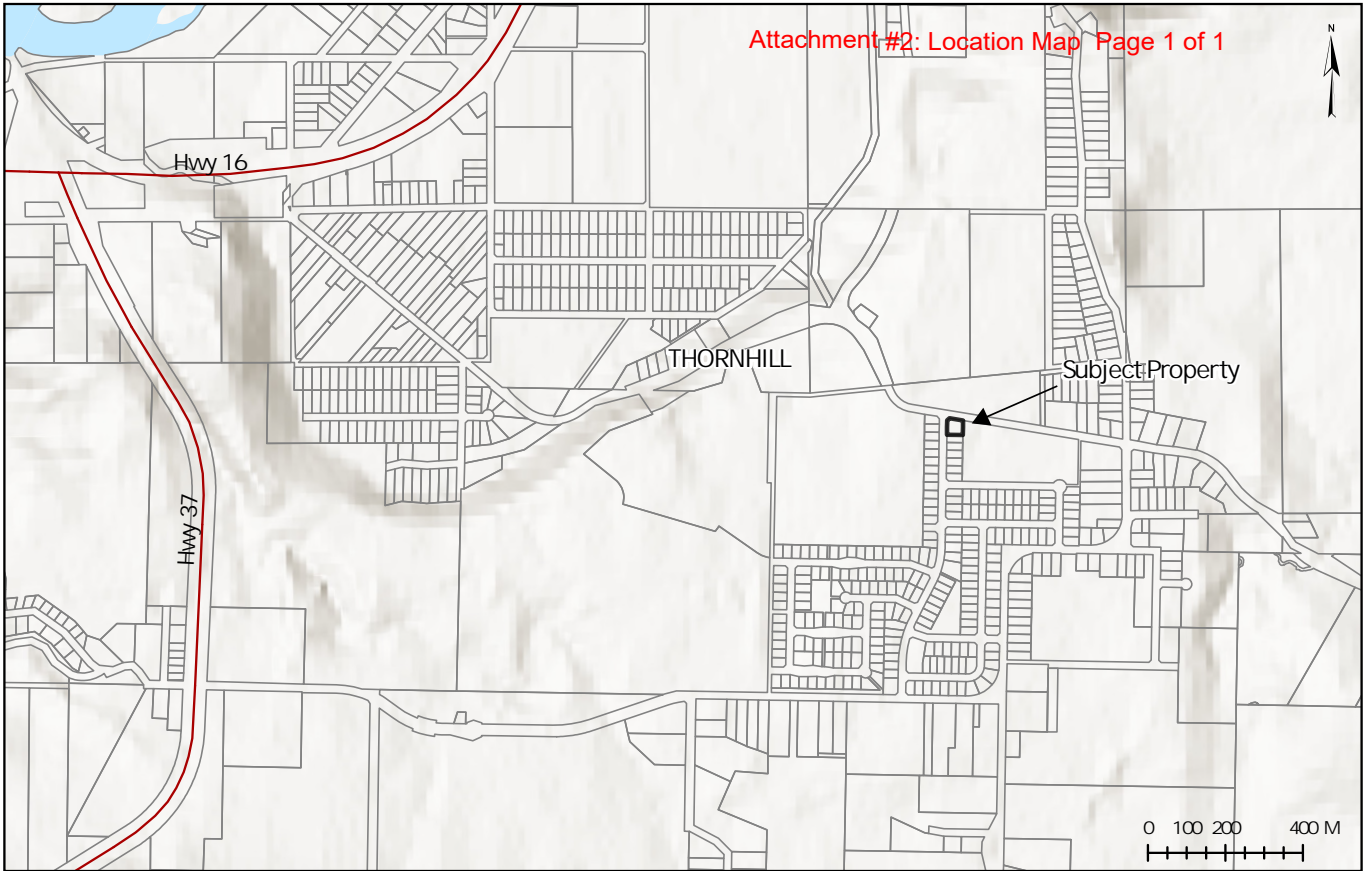
Hemlock St.



LEGAL DESCRIPTION:

Parcel A, DL 4000, Range 5, Coast District, Plan 8213

Properties involved in Development Variance Permit Number 17
in the name of [REDACTED].



BYLAW NO. 784

A bylaw to amend the "Regional District of Kitimat-Stikine Specified Portion of Electoral Area E, Thornhill Zoning Bylaw No. 194, 1983".

The Board of the Regional District of Kitimat-Stikine, in open meeting assembled, enacts as follows:

Title:

- 1) This Bylaw may be cited as the "Kitimat-Stikine Specified Portion of Electoral Area E, Thornhill Zoning Amendment Bylaw No. 784, 2023".

Amendments:

- 2) "Regional District of Kitimat-Stikine Specified Portion of Electoral Area E, Thornhill Zoning Bylaw No. 194, 1983" is hereby amended as follows:

The land described as that Parcel A (SEE TB4309) District Lot 4000 Range 5 Coast District Plan 8213, as outlined on the attached Schedule A and forms part of this bylaw, shall be rezoned from the Neighbourhood Commercial (C2) Zone to the Two Family Residential (R2) Zone.

READ a first time this _____ day of _____, 2023.

READ a second time this _____ day of _____, 2023.

A Public Hearing with respect to this bylaw was held on the ____ day of _____, 2023.

READ a third time this _____ day of _____, 2023.

ADOPTED this _____ day of _____, 2023.

Chair

Director of Administration



AREA SUBJECT TO REZONING



Schedule A of the Regional District of Kitimat-Stikine Thornhill Zoning Amendment Bylaw No. 784, 2023
Amends Bylaw No. 194

Parcel A (See TB4309)
District Lot 4000
Range 5 Coast District
Plan 8213

PID: 010-676-261

Chairperson

Director of Administration

Date of Adoption



Regional District of
Kitimat-Stikine