

City Staff Report

Original signed by: City Manager Johnson

Report Date: October 25, 2022
Meeting Date: November 22, 2022

To: City Manager
From: Director of Development Services
Subject: Zoning Amendment to allow a retail store use at 960 Chew Rd.

Purpose

The applicant is requesting a zoning amendment to allow the use of retail store in a C-4 zone.

Summary

- The applicant is requesting a spot zone to allow retail store use at 960 Chew Rd.
- The retail store will be operating out of a unit in the existing building.
- The applicant is not proposing new construction, or alterations to the exterior building, except for signage.

Recommendation

THAT Council provides first and second reading of proposed Zoning Amendment Bylaw No. 1930 to allow the use of retail store on LOT 1 DISTRICT LOT 3140F CARIBOO DISTRICT PLAN BCP6129 EXCEPT: PLAN BCP32503;

AND THAT Council sets January 10, 2022 6pm in Council Chambers for the Public Hearing.

Statutory Requirements

Community Charter

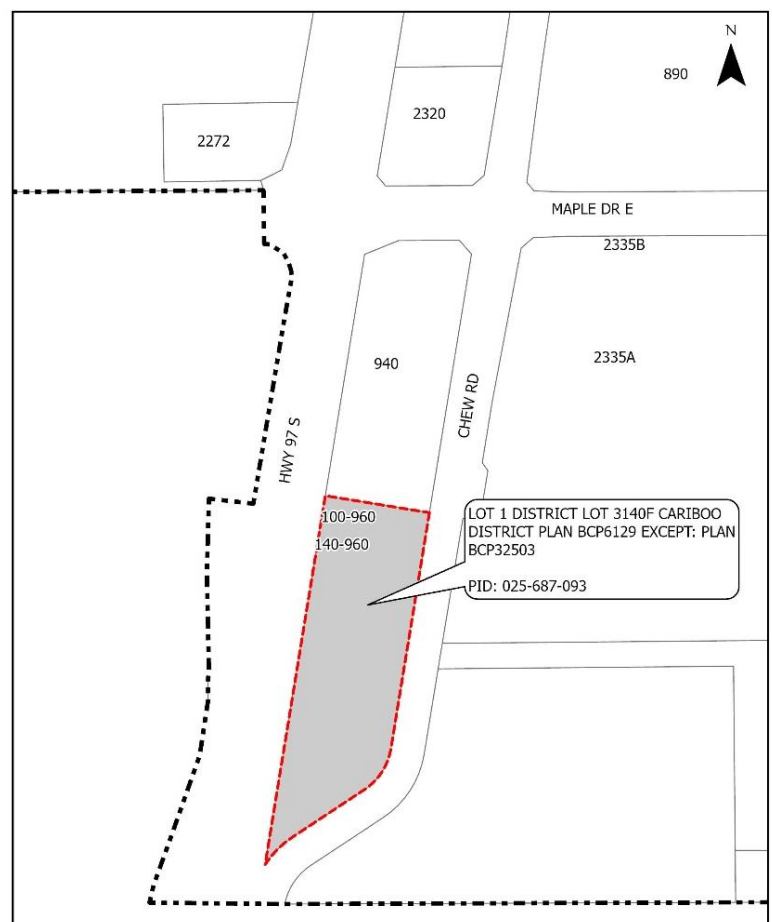
Local Government Act – Part 14 – Planning and Land Use Management

Requirement for public hearing before adopting bylaw

464 (2) A local government may waive the holding of a public hearing on a proposed zoning bylaw if

- an official community plan is in effect for the area that is subject to the zoning bylaw, and
- the bylaw is consistent with the official community plan.

Location Map - RZ2022-41



Legend
 [] Parcels
 [] Municipal Boundary
 [] Subject Property

October 17, 2022
Development Services Department



Staff do not recommend waiving the public hearing as the notice process for waiving is the same as having a hearing. Holding the hearing allows engagement and transparency in the process and at this time, the notice processes are required for the waiving as well. It is anticipated that this will change in the future based on new legislation following an update to the procedures bylaw.

Council Policy

Official Community Plan Bylaw No. 1879, 2019

Zoning Bylaw No. 1880, 2019

Development Applications Procedures Bylaw 1531, 2002

Strategic Objective

N/A

Financial Implications

N/A

Background

The applicant is currently operating a vape shop at 960 Chew Rd. The business initially began operating without an approved building permit and business license. When the situation was identified city staff discussed with the property owner considering rezoning the lot to C-8 – Regional Shopping Centre, as was intended when this property began initiated development as outlined below. This zoning would support similar-sized businesses and promote development. We did not receive a response, and the business owner is proceeding with the application with the owner's authorization.

The applicant is requesting a variance to spot zone retail store use at the above location only. They will be operating in the existing building and are not proposing any new construction or exterior changes to the building, except for signage. Signage will be reviewed under a sign permit.

Site History

In 2013, the developer proposed a three-phase development that incorporated 7 buildings. Council approved a Development Variance Permit to allow the construction two buildings under C-4 zoning. The developer was to rezone the lot later to complete the remaining phases. As of date, only one building was constructed and the property owner has not proceeded with the phased plan. The intention following this rezone will be to work with the property owner to complete a zoning amendment to allow future development on the site.

Zoning and Uses

- The purpose of the C-4 zone is to zone and preserve land for the accommodation of large format retail and a mix of vehicular oriented highway commercial uses, not provided for in the Downtown and West Quesnel Commercial areas.
- The EZ-Vape store is categorized under retail store use, typically located in the downtown and West Quesnel area.
- The existing building at 960 Chew Rd supports this type of use as it has smaller units that may not work for large format stores, see justification letter.

OCP

- An OCP amendment is not required to spot zone retail use at this specific location based upon the following sections:
- Section 5.2.1.2. *Encourage diverse types of commercial businesses and enterprises to meet the needs of Quesnel residents, visitors, and industries.*



- Section 5.2.2.3. *Support infill commercial development of existing commercial areas before re-designating vacant sites.*

Site Characteristics

Current Use	Vape Shop
Zoning	C-4 – Highway Commercial
Official Community Plan Land Use Designation	SG - Southern Gateway Commercial
Development Permit Area	Commercial

Surrounding Land Uses

North	Highway Commercial
East	Highway Commercial and vacant land
South	Vacant land
West	Highway 97

PROCESS OUTLINE		
Application received	Oct. 11/22	Complete application received
Referrals	Oct. 17/22	Application referral sent to internal and external agencies for consideration.
Report to Council – Bylaw consideration	Nov. 22/22	Application and Bylaw to Council – introduction to application and first reading.
Report to Council – Bylaw Consideration	Dec. 13/22	Second reading, set public hearing
Public Hearing	Jan.10/22	Public Hearing
3 rd reading of bylaw	TBD	3 rd Reading
MOTI Approval	TBD	MOTI to sign bylaw
Bylaw Adoption – final reading	TBD	Bylaw Adopted

Referrals

MOTI: No objection to the proposed amendment.	Fortis BC: No objection to the proposed zoning change.
Capital Works: Interests unaffected.	Telus: Interests unaffected.
Public Works: Interests unaffected.	BC Hydro: No comments as of date.
Utilities: Interests unaffected.	Shaw: No comments as of date.
Fire:	South Quesnel Business Association:



No concerns for the Fire Department's access and the hydrant is within 80m.	No comments as of date.
Building Department: Occupancy has not been issued, the open building permit will need to be completed.	

Attachments

Justification Letter

Floor Plan

Draft Zoning Amendment Bylaw No. 1930

Concurrence

N/A