



TOWN OF HINTON
Public Hearing on
Land Use Bylaw #1088-4
September 26, 2017

PRESENT: Deputy Mayor Marcel Michaels, Mayor Rob Mackin, Councillors Glen Barrow, Ryan Maguhn, Albert Ostashek, Stuart Taylor, Matthew Young
SECRETARY: Denise Parent – Director of Corporate Services
ALSO PRESENT: Laura Howarth – Interim Chief Administrative Officer, Wendy Jones – Director of Planning & Development; Gordie Lee, Director of Infrastructure Services, Wendy Anderson – Executive Assistant

CALL TO ORDER

Deputy Mayor Michaels called the Public Hearing meeting to order. The time was 4:10 p.m.

INTRODUCTION & PROCEDURES

Deputy Mayor Michaels informed the hearing attendees as follows:

- The Public Hearing is held pursuant to the Municipal Government Act.
- Rules of conduct will be followed during this Public Hearing.
- Presentations should be brief and to the point.
- The order of presentation shall be:
 - report from the planner
 - entry of written submissions
 - those supporting the Bylaw
 - those opposing the Bylaw
 - any other person deemed to be affected by the Bylaw
- Council may ask questions of the speakers after each presentation for clarification purposes.
- There will be no debating the Bylaw, however, questions to the Councillors or other parties will be accepted through the Chair.

HEARING

Deputy Mayor Michaels declared the Public Hearing relating to the Land Use Bylaw No. 1088-4 open.

The Secretary, Denise Parent, Director of Corporate Services, informed that the purpose of proposed Bylaw No. 1088-3 is to amend the Land Use Bylaw as follows:

Lot R1, Block 12, Plan 832 1567 – 439 MaKenny Street
FROM: S-COM – Community Services District
TO: C-HWY – Highway Commercial District


Initial

First reading was given to Bylaw No. 1088-4 on September 5, 2017.

Notice of this Public Hearing was advertised in the Hinton Voice on September 14 and 21, 2017.

The report from the Planner was provided and is included in the September 26, 2017 Regular Council agenda package.

The following written comments have been received to date:

- a) Letter from Stephanie Hayward – Owner 176 Scobie Crescent

Deputy Mayor Michaels requested:

- a) Are there any late written submissions relating to the Bylaw? No
- b) Is there anyone who supports the Bylaw and wishes to speak?

Neil Tredwin, one of the owners of the 439 MaKenny, spoke in favour of the Bylaw as his intent is to promote development and growth in Hinton. The current zoning is very restrictive; the change to C-HWY will accommodate various businesses. He spoke to residents this morning and provided a list of potential tenants that include: a trampoline park, Coldwell Banker and Government offices. No other tenants have been confirmed at this date.

David Penner, a partner of the potential development, stated that he lived in Clearbrook Park between 2005 and 2015 and the building had been vacant. He has assisted with recent commercial viable options and feels it best to change the zoning which would allow the most opportunities for potential businesses.

Charity Lawrence spoke in support of the development of the property. In the past, the building has not been maintained, and she would love to see the trampoline park which would be a huge benefit to the community and take advantage of existing buildings.

- c) Is there anyone who opposes the Bylaw and wishes to speak?

Roger Hayward spoke and indicated he represents most of the residents on Scobie and they don't want it zoned highway commercial. Mr. Hayward provided a review of the attached letter (see September 26, 2017 Regular Council agenda). Key points of concern were: commercial traffic safety, should the apartment become habitable there will be more residential traffic, disruption to life style, noise, lighting and safety entering from Brookhart Street onto Highway 16. Mr. Hayward stated that the proposed current development is not what we are here to debate, its zoning that is the issue.

Taylor: Has the developer talked to residents? *Mr. Tredwin spoke to 15-20 residents and they were happy with the trampoline park.*

Ostashek: Is there a different type of commercial zoning that would allow for what is being planned that would make the residents more comfortable? *Jones: The C-HWY*

recommendation has less impactful usages which includes: retail, grocery, medical, veterinary. At the time the building was purchased, Planning & Development sent proactive letter to the buyer that due diligence was not done at the time of purchase to seek zoning change by Council which is usually a condition of sale. Administration is proactively working closely with developer to allow the developer to refurbish the building. Rezoning for office space and play type area is supported by C-HWY the best. C-NODE is zoned for high retail commercial development. It provides information on uses for the building so we can define parking requirements. The development can't extend past the existing parking so the developer will need to be careful with tenant usage so available parking isn't exceeded. If the building were to be put up for sale, the new potential owners would be required to approach Planning & Development prior to purchasing. Development permits won't be issued until the change to the bylaw has been made. Without rezoning, the developer can't move forward.

Michaels: Are there mechanisms in place that limit or assure certain things aren't built there? Jones: *If pursued, the only option would be C-HWY district which would be evaluated where uses are reduced specific to this area. She cautioned that this could be challenged at a higher level and suggested that it be managed at a development level and recognize limited usage on this building.*

Taylor: Is concerned with usage; can a condition be put on that states once a development plan comes in, the community is engaged by the developer to address concerns? Jones: *A motion can be made prior to the third and final reading that states the development permit be provided subject to Administration ensuring the parking lots doesn't exceed the building as per the original permit (115 stalls). A Traffic Impact Assessment would be required for anything that exceeds this.*

Young: Asked Mr. Hayward if he was opposed when the building was a church? Mr. Hayward personally did not have any concern with it being a church. He was a bit concerned when the two-parking stall requirement was waived when the apartment was built.

Penner: This development may address safety aspects that are a concern. The developers can work with the concerns when developing the property.

Vince Tredwin: The original building design had an occupancy load of 800 people. We would be under that number with this development.

- d) Is there anyone deemed to be affected by the Bylaw and wishes to speak? No
- f) Do the Councillors have any further questions?

Young: When was the building originally built? Jones: *Administration believes it was built in the early 2000's.*

Young: Was it ever a functional space? Jones: *To our knowledge only a portion was used for a day care without full occupancy in the assembly area. A recreational facility was part of the original intent.*

Young: Since being built, have we collected any property taxes? *Jones: No.*

g) Do the Councillors require further information? None requested

ADJOURNMENT

BARROW - That the Public Hearing adjourn.

CARRIED

The time was 4:49 pm.



DEPUTY MAYOR



DIRECTOR OF CORPORATE SERVICES