



STAFF REPORT

TO: Council **MEETING DATE:** July 21, 2015
FROM: Katie Thomas,
Temporary Planning Assistant **FILE NO:** 3220-GowerPoint-397
SUBJECT: Temporary Use Permit Process for 397 Gower Point Road

RECOMMENDATION

THAT staff's report regarding the process of the Temporary Use Permit for 397 Gower Point Road be received.

THAT the Mayor allow any person who feels affected by this application to speak at the Council meeting;

AND THAT Council authorize the Mayor and Corporate Officer to issue Temporary Use Permit TUP-2014-01 for 397 Gower Point Road to allow an Information Centre and potential Sales Centre for the proposed George Hotel and Residences for a three year term.

BACKGROUND/PURPOSE

This staff report explains the process of the Temporary Use Permit for 397 Gower Point Road. The notification process ensure neighbouring properties (by letter) and the community at large (through a newspaper ad) were informed about this application. As announced, Council can now consider the application at the Council July 21 meeting.

DISCUSSION

The Town of Gibsons received an application for a Temporary Use Permit for 397 Gower Point Road on May 1st, 2014. The intent of the Temporary Use Permit is to use the existing residential structure as an Information Centre for the proposed George Hotel and Residences. If the applications for the proposed George Hotel and Residences are approved, the Information Centre would turn into a Sales Centre for the development.

On July 15, 2014, Council postponed consideration of this permit to a later date. Recently, the applicant requested Council to consider the permit again. On July 7, 2015 Council resolved the following:

THAT staff be directed to proceed with the notification process and preparation of a permit for the consideration of issuance of the requested three-year Temporary Use Permit at the Council meeting on July 21, 2015.

Staff sent referrals in 2014 to the Town of Gibsons Engineering Department, Town of Gibsons Building Department and the Gibsons Fire Department. The responses of the referrals were mailed to the applicant and the recommended conditions are included in the draft permit.

Notification process and role of Council

Pursuant to the Development Application Procedures and Fees Bylaw No. 1166, 2012, notice of the Temporary Use Permit Application and Council meeting were mailed or hand delivered to properties within fifty (50) metres of the subject property. In accordance with the Local Government Act, newspaper advertisement for the July 21st Council meeting was published in the July 10th and 17th edition of the Coast Reporter.

Up to July 15, no submissions had been received. Two earlier submissions from 2014 are included for Council's consideration. Any other submissions will be provided to Council at the Council meeting.

For a Temporary Use Permit there is no requirement for a Public Hearing. Instead, Council receives any comments that are forwarded and then considers issuing the permit on the date that was indicated in the notification.

RECOMMENDATIONS / ALTERNATIVES


Staff's recommendations are listed on page 1. As outlined in previous reports, staff conclude that there are limited effects as a result of the proposed temporary use of 397 Gower Point Road, and thus recommend approval of the Temporary Use Permit.

Alternatively, if Council does not support the Temporary Use Permit Council can request changes to the application and draft permit, or Council can deny the request.

Respectfully Submitted,



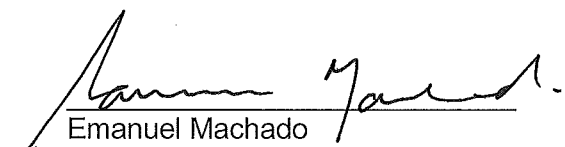
Katie Thomas
Temporary Planning Assistant



André Boel
Director of Planning

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I have reviewed the report and support the recommendation.



Emanuel Machado
Chief Administrative Officer

Attachments: Draft Temporary Use Permit
Submissions received up to July 15



DRAFT TEMPORARY USE PERMIT

No. TUP- 2012-01

TO: **Hyak Marine Services Ltd.**

ADDRESS: **PO Box 570**

Gibsons, B.C. V0N 1V0

(Permittee)

- 1) This Temporary Use Permit is issued subject to compliance with all of the Bylaws of the Town of Gibsons applicable thereto, except those specifically varied or supplemented by this Permit.
- 2) The Temporary Use Permit applies to those "lands" within the Town of Gibsons described below:

Parcel Identifier: 011-118-202

Legal Description: Lot 1, Except the East 157 Feet, Block A, District Lot 685, Plan 5579

Civic Address: 397 Gower Point Road

- 3) The use authorized by this Permit may be carried out only in accordance with the terms and conditions set out herein.
- 4) Should the Permit Holder fail to adhere to and comply with all the terms and conditions set out herein, the Temporary Use Permit shall be void and no longer valid for the lands.
- 5) In addition to permitted uses in the Single-Family Residence Zone 2 (R-2 Zone), the lands may be used for:
 - An Information Centre for the George Hotel and Residences, open up to 5 days a week, limited to opening hours that fall between 10 am and 8 pm;
 - A Sales Centre for the George Hotel and Residences, pending the successful completion of a Zoning Bylaw amendment, open up to 5 days a week, limited to opening hours that fall between 10 am and 8 pm;
 - One freestanding sign of 2.2 m²;
 - Accessory uses customarily incidental to the above uses.

- 6) As a condition of the issuance of this Permit, the following items need to be addressed to the satisfaction of the Building Inspector and the Fire Chief:
- The Upstairs must be restricted to staff only and access prevented by the public to the spiral stairs;
 - Exit lighting and exit hardware to be provided;
 - A maximum capacity for functions to be determined and confirmed by Fire Safety Officer;
 - Ensure outdoor lighting is on during any event in the evening during darkness, capable of illuminating travel paths away from the building to public walkways;
 - Provide graspable handrails on all ramps and stairs to BCBC requirements.
- 7) This Temporary Use Permit shall expire three years after issuance.
- 8) This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL

THIS THE .. DAY OF, 2015

ISSUED THIS _____ DAY OF _____, 2015

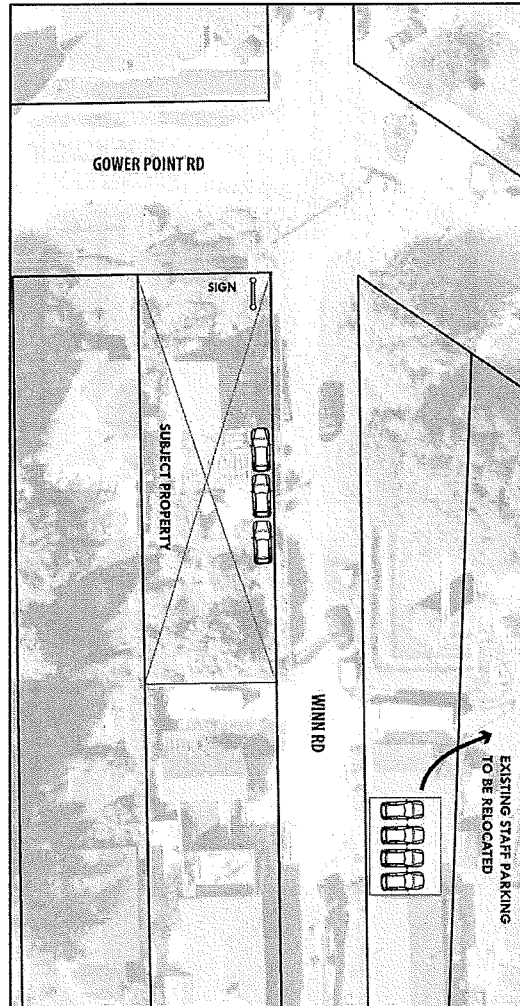
Wayne Rowe
Mayor

Selina Williams
Corporate Officer

Attachments 3: Site Plan
Display Sign
Floor Plan

Hyak Marine Services Ltd.

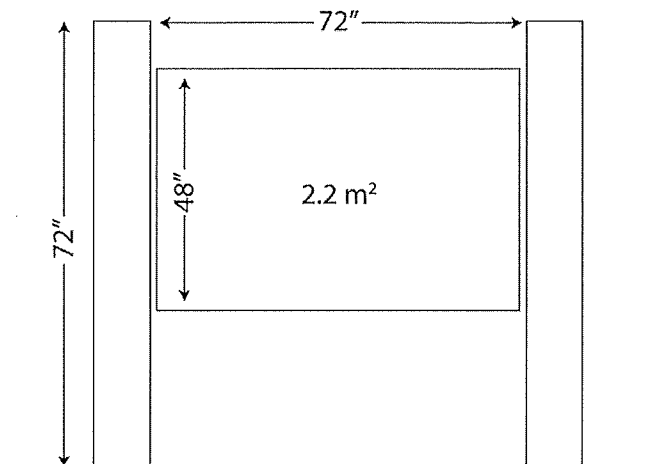
SITE PLAN



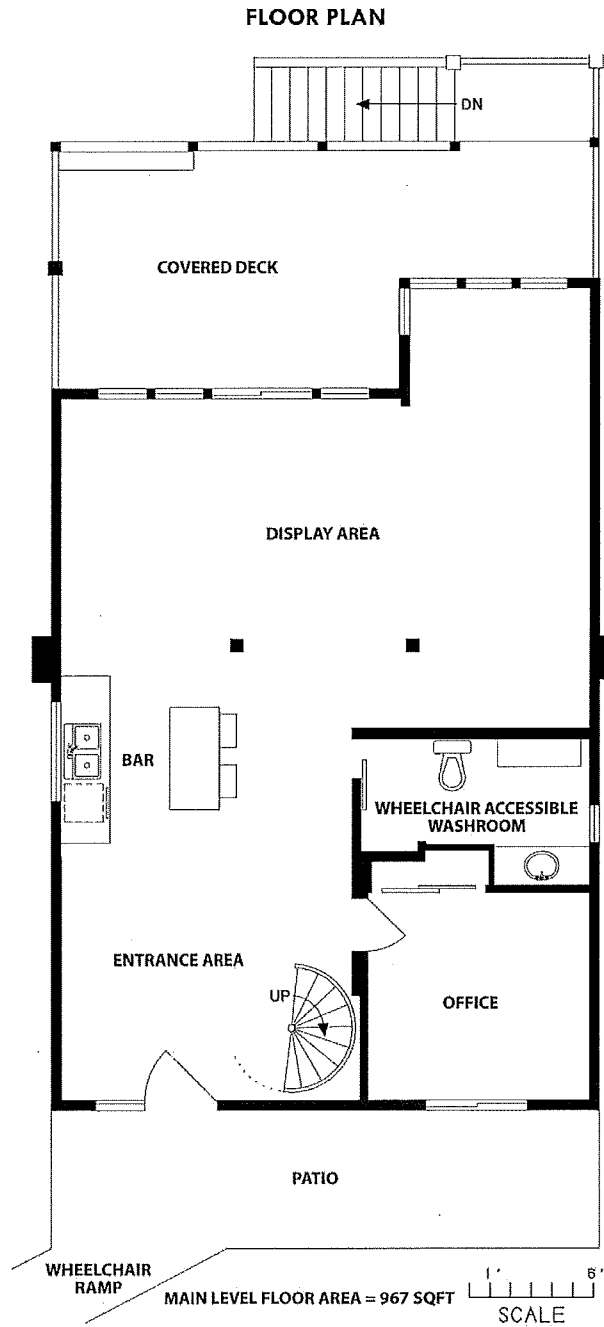
P.O. BOX 570, Gibsons, B.C. V0N 1V0
Tel/Fax: (604) 886-2060

Hyak Marine Services Ltd.

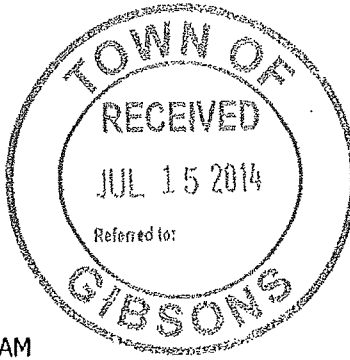
DISPLAY SIGN



Hyak Marine Services Ltd.



P.O. BOX 570, Gibsons, B.C. V0N 1V0
Tel/Fax: (604) 886-2060



FILE COPY

Regarding Agenda Item 9.3

Received VIA Email

Sent: Tuesday, July 15, 2014 9:59 AM
Subject: Request re: Temporary Permit

Good morning,

I am writing with a request regarding the 'Temporary Permit' for the George Information/Sales centre, which is on the Council agenda tonight. I would speak at the inquiry, but a decision will have already been made. We were at the June COW meeting where this was discussed and Mayor Rowe had expressed concern that the permit felt "premature". I am strongly in agreement with that view and am asking for your support to postpone the granting of a permit until after the final approval of the George development. Here is why:

- the 'information/sales centre' has been in operation for the last few months without a permit - my husband and I popped in one day in June to get a sense of what was being offered. It is clearly more of a 'sales' pitch than simply information. In fact at the end, the representative asked us to "let Council know" if we supported the George. While we were there, others walked in off the street out of curiosity. On a separate occasion on the same property, we were told by one of the developer's employees that "the George will go ahead whether people want it or not". That message does not give us any confidence that the developer will provide unbiased, accurate information.
- if Council approves this permit now with all of the attending signage, it will send a strong signal to the community that this development will go ahead, despite the fact that the zoning bylaw along with the aquifer report, economic report, environmental toxin risk assessments, etc have yet to come forward to Council.

As a resident of Gibsons for the last 25 years, I am deeply concerned that the 'George' proposal has polarized our community and has resulted in a significant breach of trust. If Council votes to delay this Permit, it will signal to the community that there is a process in place to evaluate all of the important components of this proposal before allowing a promotional sales centre to operate.

Thank you for you considering my request.

Sincerely,

Wendy Miller
Town of Gibsons Resident

RECEIVED IN
2014

-----Original Message-----

From: vanceis@telus.net [mailto:vanceis@telus.net]

Sent: July-06-14 3:38 PM

To: Gibsons General Mailbox

Subject: Written Submission for Corporate Officer for Council - Temporary Use Permit Application

Corporate Officer for Council:

In regard to the notice that appeared in The Reporter on July 4, 2014, as a resident of the nearby area, I would be adversely affected by increased traffic and noise by the three-year use of what was a private home as an "Information Centre / Sales Centre" for the proposed George Hotel and Residences. The adjoining road is the detour route for the Gibsons sea walk and with the post office and the Gibsons market, the area is now at its maximum use in regard to parking and driver and pedestrian use. I also feel that the designation "Information Centre / Sales Centre" is a misnomer, and that given the fact that the people of Gibsons remain sharply divided over this development, the real function of the centre is to serve as lobbying headquarters for the development with a three-pronged thrust: 1) to serve as the only high-profile source of information on the development and thus gain a monopoly over all sources of information on the proposed development; 2) to provide a meeting place and other material, logistical and political support for those lobbying the Town for the development; and 3) to present the development as an accomplished fact so that those who might otherwise question or oppose the development will see it as a done deal. Given that the townspeople have been told that the economic impact information and the aquifer report are not yet finished so that no further decision on the development can be made at this time, it is extremely premature to grant a temporary use permit for an "Information / Sales Centre" for the site. As I recall, for example, the development at the top between the elementary school and the Petro station did not open its information / sales centre on site until the site was clear and construction was slated to begin, a timing which is more appropriate for a sales centre that has real units to sell and real information to provide. Thus, I am opposed to the Town granting the temporary use permit at this time.

Kathleen Vance
Town of Gibsons Resident
301 Headlands Road
Gibsons, BC V0N 1V8

**RECEIVED IN
2014**

