

# Notice of Public Hearing

## Zoning Amendment Bylaw No. 1353

Notice is hereby given that a Public Hearing will be held via Zoom ([castlegar.ca/ph](https://castlegar.ca/ph)) or by Telephone 1-778-907-2071 (Webinar ID: 829 1527 7468 Passcode: 532847) on Tuesday, September 7, 2021 at 6:30 p.m. to consider the following

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To consider amendments to the following definitions of housing: *assisted living, emergency shelter, group home, safe home, supportive housing and transitional housing* and to introduce safe home as a permitted use in all land use zones within the City and emergency shelter and transitional housing as a permitted use in all zones with the City subject to the requirements of a Temporary Use Permit.

A copy of the proposed Bylaw may be inspected at City Hall, 460 Columbia Avenue, Castlegar, B.C. on regular business days (Monday to Friday) between the hours of 8:30 a.m. and 4:30 p.m. from Thursday, August 26 to Tuesday, September 7, 2021.

For more information regarding this proposed development, please visit our website at: [castlegar.ca/development](https://castlegar.ca/development)

Inquires should be directed to [devserv@castlegar.ca](mailto:devserv@castlegar.ca).

### Castlegar City Hall

Open Mon – Fri, 8:30 a.m. – 4:30 p.m.  
250 365 7227 | [castlegar.ca](https://castlegar.ca)

CASTLEGAR

# Zoning Amendment Bylaw

## Bylaw 1353

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### A bylaw pursuant to Part 14 of the Local Government Act to amend Zoning Bylaw No. 800

WHEREAS the Local Government Act provides that Council may, by resolution, amend a Zoning Bylaw;

NOW THEREFORE the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. THAT the following definitions be added to Section 1.0.3 of Part 1: Administration:

<b>Assisted Living</b>	A type of housing for seniors and people with disabilities that includes on-site hospitality and personal-care support services.
<b>Emergency Shelter</b>	Immediate, short-stay housing for people who are homeless or at risk of becoming homeless.
<b>Group Home</b>	A type of housing with supports for people with special needs such as severe mental and physical disabilities.
<b>Safe Home</b>	A type of temporary housing for individuals fleeing violence, where a transition house is not available in the community.
<b>Supportive Housing</b>	A type of housing for seniors and people with disabilities that includes on-site hospitality but not personal-care support services.
<b>Transitional Housing</b>	A type of housing for residents for between 30 days and three years. It aims to transition individuals to long-term, permanent housing.

1. THAT the definitions of Campus Style Seniors Housing, Care Facility and Senior Citizen Home be removed from Section 1.0.3 and replaced by the terms Assisted Living, Group Home and Supportive Housing including as listed within the terminology of other definitions.

2. THAT where the term Campus Style Seniors Housing is listed as a permitted use under Section 3.10.2 and Table 3.10.39(a) that it be replaced with the terms Assisted Living, Group Home and Supportive Housing.
3. THAT where the term Care Facility is listed under Table 7.1.1(a) that it be replaced with the terms Assisted Living, Group Home and Supportive Housing.
4. THAT where Senior Citizen Home is listed as a permitted use under Sections 3.4.2, 3.5.2, 3.6.2, 3.10.2, Table 3.10.39(a), 4.6.2(1), Table 4.6.4(a), Table 7.1.1(a), 7.1.2 and Table 7.3.1(a) that it be replaced with the terms Assisted Living, Group Home and Supportive Housing.
5. THAT the following provisions be added under Section 2.2.8 Hens and Bees:

**Emergency Shelter, Transitional Housing and Safe Homes**

- 2.2.9 Despite any other provisions of this Bylaw, Emergency Shelter and Transitional Housing will be permitted in any land use zone subject to the requirements of a Temporary Use Permit in any land use zone within the City.
- 2.2.10 Despite any other provisions of this Bylaw, Safe Home will be permitted in any land use zone within the City to enable safe and confidential sheltering of individuals fleeing violence.

READ A FIRST TIME this XX day of XXXXX, 2021.

READ A SECOND TIME this XX day of XXXXX, 2021.

PUBLIC HEARING HELD this XX day of XXXXX, 2021.

READ A THIRD TIME this XX day of XXXXX, 2021.

ADOPTED this XX day of XXXXX, 2021.

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Mayor

\_\_\_\_\_  
Director of Corporate Services

# CASTLEGAR

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## REPORT TO COUNCIL

**MEETING DATE:** August 16 2021 **REPORT NO.:** 21-75

**SUBMITTED BY:** Manager of Planning, Development and Sustainability **FILE NO.:** 3360-20-R-4/21

**SUBJECT:** Zoning Amendment Application R-4/21 – General Amendment  
Emergency Housing

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### **RECOMMENDATION:**

***THAT Zoning Amendment Bylaw 1353 be considered for First and Second Reading at the August 16, 2021 Regular Council Meeting and referred to a Public Hearing.***

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### **PURPOSE:**

The purpose of this report is for Council to consider referring First and Second Reading of Zoning Amendment Bylaw 1353 to the August 16, 2021 Regular Meeting.

This report is for consideration at the August 16, 2021 Committee of the Whole Meeting and for consideration of First and Second Reading at the August 16, 2021 Regular Council Meeting to facilitate a Public Hearing.

### **SUMMARY/BACKGROUND:**

The proposed general amendments are intended to provide clear definitions of housing typologies in alignment with the definitions used by BC Housing into the City's Zoning Bylaw as outlined below:

Assisted Living	A type of housing for seniors and people with disabilities that includes on-site hospitality and personal-care support services.
Emergency Shelter	Immediate, short-stay housing for people who are homeless or at risk of becoming homeless.
Group Home	A type of housing with supports for people with special needs such as severe mental and physical disabilities.
Safe Home	A type of temporary housing for individuals fleeing violence, where a transition house is not available in the community.
Supportive Housing	A type of housing for seniors and people with disabilities that includes on-site hospitality but not personal-care support services.
Transitional Housing	A type of housing for residents for between 30 days and three years. It aims to transition individuals to long-term, permanent housing.

These amendments are necessary to provide clarity as to where these housing typologies are permitted and to introduce language and direction in relation to emergency and transitional housing which was previously missing.

As a result of the proposed amendments, emergency and transitional housing will be permitted in any zone, subject to the requirements of a Temporary Use Permit (TUP). Safe homes will be permitted in any land use zone but will not trigger the requirements of a TUP due to the sensitive nature and need for confidential sheltering for individuals fleeing violence.

The establishment of an emergency warming shelter during the pandemic highlighted the impacts of homelessness in Castlegar and the need for emergency and transitional housing within the City. These facilities can also serve as a useful place for evacuees or those displaced during emergency events.

The City's Official Community Plan (OCP) does not speak specifically to the needs of those who are un-housed or are at risk of being un-housed. The Housing Strategy currently under consideration for adoption will be the first initiative within the City to provide recommendation for emergency and transitional housing.

The emergency warming shelter, and the perceived and real community impact associated with the shelter, created the need for ongoing collaboration between emergency service providers and the City to find a suitable location for future emergency and transitional housing within the City. Many other communities within the Province have utilized TUPs as a tool to manage the impacts of emergency and transitional housing on their respective communities through operational and management guidelines.

Housing is a major concern of equity and each City will have a unique approach as to how to address housing and homelessness. Many communities in BC have already utilized TUPs as a mechanism to ensure greater community involvement and solution building within the decision making process, but it should not be viewed as an appropriate mechanism long term. The TUP approval process can lead to further disfranchisement of those most vulnerable in our community through NIMBY-ism (not in my backyard) and LULU (locally unwanted land use). Secure locational options should be explored as the City moves forward with implementation of the Housing Strategy (once adopted) and in collaboration with local and regional partners.

#### **ALTERNATIVES:**

Council could consider not proceeding with the proposed amendments. This is not recommended as the current regulatory framework is not clear and does not provide adequate direction for emergency, transitional, and other forms of housing.

#### **IMPLICATIONS:**

##### **(1) Social**

Housing is important to the resiliency and health of a community. Community members may experience homelessness or be at risk of homelessness for many reasons such as: job loss, change in the availability of housing, rising real estate costs, and those fleeing domestic violence. Factors contributing to housing instability within Castlegar include: displacement of tenants due to home sales, low vacancy rates, lack of housing diversity, and the rising cost of rent and property values. Those with mental or physical health barriers, addictions, seniors, youth, and single parent families are most vulnerable.

- (2) Environmental** There are no anticipated impacts to environmental values associated with the proposed amendments.
- (3) Personnel** Staff will be required to coordinate the Public Hearing notification process and facilitate community engagement and feedback on the proposed amendments. This may take 3-10 hours of staff time dependent on level of community interest.
- (4) Financial** The proposed amendments are being undertaken by the City and has included staff time associated with researching of options, alternatives, and drafting of the recommended amendments. Additional cost will be incurred for the required notification of Public Hearing in two consecutive issues of the newspaper.

**POLICY IMPLICATIONS:**

The OCP offers the following guidance with regards to homelessness:

3.2 Guiding Principles

Local Adaptability and Resilience

The City will promote local adaptability and resilience by promoting diverse employment opportunities, outstanding local education opportunities, and enhanced local health services. It will also promote local food production and sales, reduced food waste, and innovative approaches to energy conservation and generation. The City will work to generate more low cost housing, along with working to reduce the impacts of poverty and homelessness.

21.5 Social and Cultural Action Steps

21.5.5 Create an easily accessible master directory of community groups and services.

8.11 Affordable, Special Needs and Rental Housing

Providing adequate housing options for people regardless of their socioeconomic status as well as the shelter needs of the disabled and elderly is a priority in Castlegar.

8.11.1 Maintain the current supply of affordable, rental and special needs housing.

8.11.2 Encourage all new development to contribute positively to the supply of affordable, rental and special needs housing.

21.2 Social Policies

21.2.6 Partner with the RCMP, committees and community groups to identify and implement crime prevention through building and landscaping design.

21.2.7 Ensure social and recreational programming is adequate and provides for all ages and abilities.

The City of Castlegar, 2019-2023 Strategic Plan includes the priority *Continue to Advocate for Affordable Housing and Ensure the City's Regulations Support the Development of such.* With the associated action item *"to develop next steps to address affordable housing and all other identified housing needs."*

The 2020 Affordable Housing Development for the City of Castlegar and Community Partners plan provided the following recommendation:

The group identified the need for more coordination of counts between agencies to ensure data is being captured on all groups, in particular those who are considered the hidden homeless. There is also a need for increased multi-agency coordination in relation to the planning and development of housing and services for persons who are homeless or at risk of homelessness.

**IMPLEMENTATION:**

Implementation of these changes will require that emergency and transitional housing projects undertake an approval process for a Temporary Use Permit (TUP) which was recently enabled in the City's OCP. Proposals would be required to be referred to those who may be impacted by the decision for feedback, and if appropriate a public meeting may be held. TUPs are valid for minimum of 30 days up to three years and can be extended an additional three years. If an appropriate site is determined the property could be rezoned to enable permanency following successful operation under the TUP process.

If the amendments are successful, staff will work with local housing providers, on operational guidelines that incorporate best practices for the management of such facilities into the approval process. Each proposal will be subject to evaluation based on the following criteria based on the type of housing proposed:

- Assessment of need
- Proximity to services and amenities
- Provision of on-site management
- Good neighbor provisions
- Length of stay
- Lighting
- Security

**COMMUNICATION:**

Notification of Public Hearing will be placed within two consecutive issues of the Castlegar News. There is no requirement for notification of adjacent property owners for General Text Amendments.

Respectfully submitted,



Meeri Durand  
Manager of Planning, Development and  
Sustainability

Approved by,



Chris Barlow, A.Sc.T.  
Chief Administrative Officer

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Mayor

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Director of Corporate Services