

STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner  
 Meeting Date: March 4, 2019  
 File No: 3360-19-01  
 RE: **OCP & ZONING BYLAW AMENDMENT APPLICATION (379 Davis Rd.)**  
 Subject Property: Lot A, District Lot 43, Oyster District, Plan VIP69091

RECOMMENDATION:

That Council:

1. Give first and second reading of Bylaw 1994 cited as "Official Community Plan Bylaw 2003, No.1488, Amendment Bylaw (No.57) 2019, No. 1994";
2. Give first and second reading of Bylaw 1995 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.24) 2019, No. 1995"; and
3. Refer Bylaws 1994 and 1995 to public hearing.

PURPOSE:

The purpose of this staff report is to present Official Community Plan (OCP) amending Bylaw 1994 and Zoning Amending Bylaw 1995; and to report on consultation.

PREVIOUS COUNCIL DIRECTION

Meeting Date and Resolution #	Resolution Details
<b>Feb. 4/19</b>  <b>Motion#</b> <b>CS-2019 053</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Consider the application (3360-19-01) to amend:               <ol style="list-style-type: none"> <li>a) The Official Community Plan by designating 379 Davis Road from "General Commercial" to "Single Family Residential" and by removing "Development Permit Area 3 – Commercial" from 379 Davis Road; and</li> <li>b) The Zoning Bylaw by rezoning 379 Davis Road from "Shopping Centre Commercial (C-5)" to "Single Dwelling Residential (R-1)" and by removing the 379 Davis Road site specific regulation in the C-5 Zone.</li> </ol> </li> <li>2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development), direct staff to refer the OCP amendment application 3360-19-01 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding.</li> <li>3. Direct staff to commence the preparation of the Official Community Plan (OCP) amendment bylaw and Zoning Bylaw amendment bylaw for application 3360-19-01.</li> <li>4. Approve of the discharge of Covenant CA1262671 from the title of Lot A, District Lot 43, Oyster District, Plan VIP69091, and authorize the Mayor and Corporate Officer to execute the discharge document for Covenant CA1262671, if and when the proposal to rezone 379 Davis Road to R-1 is approved.</li> </ol>

### **INTRODUCTION/BACKGROUND:**

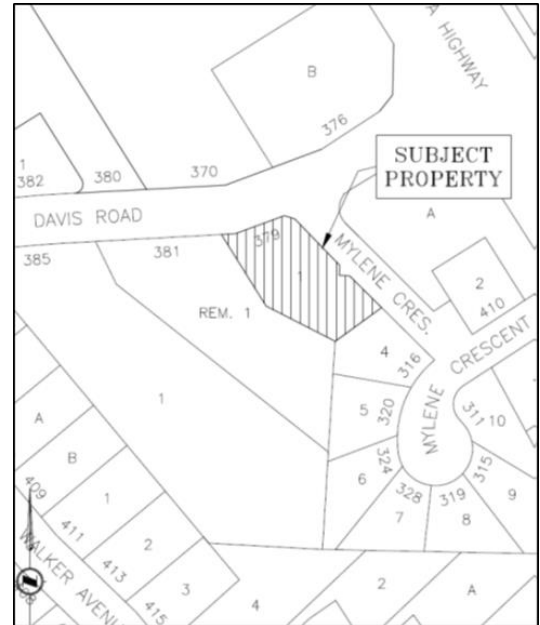
The current stage of this rezoning application is to present OCP amending Bylaw 1994 and Zoning Amending Bylaw 1995 and to report on consultation.

#### **Bylaw No. 1994**

Bylaw 1994 proposes to amend the Official Community Plan (OCP) by changing the designation of the property at 379 Davis Road from “General Commercial” to “Single Family Residential”; and by removing the Commercial Development Permit Area (DPA 3) from the subject property.

#### **Bylaw No. 1995**

Bylaw 1995 proposes to amend the Zoning Bylaw by rezoning 379 Davis Road from “Shopping Centre Commercial (C-5)” to “Single Dwelling Residential (R-1)”; and proposes to remove the 379 Davis Road site specific regulation from the C-5 Zone.



### **Proposed OCP and Zoning Amendments for 379 Davis Road**

	Current	Proposed
<b>OCP</b>	General Commercial	Single Family Residential
<b>Development Permit Area (DPA)</b>	DPA 3 Commercial	none
<b>Zoning</b>	Shopping Centre Commercial (C-5) <ul style="list-style-type: none"><li>• With site specific regulations in C-5 zone.</li></ul>	Single Dwelling Residential (R-1) <ul style="list-style-type: none"><li>• And remove 379 Davis Rd. site specific regulations from C-5 zone.</li></ul>

### **ALTERNATIVES:**

That Council not proceed with Bylaw readings and provide additional direction to staff.

### **FINANCIAL IMPLICATIONS:**

None

### **LEGAL IMPLICATIONS:**

The subject property is located within 800 metres of a controlled access highway, thus Bylaw 1995 must be referred to the Ministry of Transportation & Infrastructure for approval following third reading. Also, if the application proceeds a public hearing will be required to be held.

### **CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

The OCP amendment application was referred to the Stz'uminus First Nation and reviewed at the February 19, 2019 Naut'Sa Mawt Steering Committee meeting and no concerns have been identified.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Infrastructure Services Department has no concerns with the proposed amendment to the OCP and Zoning Bylaw.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings                        | <input type="checkbox"/> Multi-Use Landscapes      |
| <input type="checkbox"/> Innovative Infrastructure              | <input type="checkbox"/> Local Food Systems        |
| <input type="checkbox"/> Healthy Community                      | <input type="checkbox"/> Local, Diverse Economy    |
| <input type="checkbox"/> Not Applicable                         |  |

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |  |   |
|--|---|
| <input type="checkbox"/> Employment & Tax Diversity              | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships                   |
| <input type="checkbox"/> Communications & Engagement             | <input checked="" type="checkbox"/> Not Applicable      |

**SUMMARY:**

It is recommended to proceed with first and second reading of Bylaw 1994 and 1995, and refer the bylaws to public hearing.

Report prepared by:



Lisa Brinkman, Senior Planner

February 26, 2019

Director Approval:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

**ATTACHMENT:**

Bylaws 1994 and 1995