

***A PUBLIC HEARING WILL BE HELD IN THE  
MUNICIPAL COUNCIL CHAMBERS ON  
MONDAY, JANUARY 25<sup>TH</sup>, 2010, AT 7:00 P.M.***

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**A G E N D A**

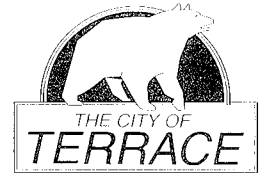
***1. City Planner's Report – Zoning Amendment –  
Secondary Suite Regulations in AR1 & AR2 Zones:***

*Amendment to Zoning Bylaw No. 1431-1995, and amendments thereto, by amending the permitted uses and regulations in the AR1 – Agricultural and AR2 – Rural zones, the Secondary Suite definition and regulations and the Accessory Building regulations.*

***1. City Planner's Report – 4620 Davis Avenue:***

*OCP and Rezone Amendments for the Property Legally Described as Lot A, District Lot 361, Range 5, Coast District, Plan BCP42654.*

*H. Nunn,  
Clerk*



**CITY OF TERRACE**

**DEVELOPMENT SERVICES DEPARTMENT**

**PUBLIC HEARING REPORT**

**MEMO:** Ron Poole, CAO for Mayor and Council

**FROM:** David Block, City Planner

**DATE:** January 25, 2010

**SUBJ:** Zoning Amendment – Secondary Suite Regulations in AR1 & AR2 Zones

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*It is recommended that the bylaw to amend the Zoning Bylaw No. 1431-1995 by changing the permitted uses and regulations in the AR1 – Agricultural and AR2 – Rural Zones, in the Secondary Suite Definition and Regulations and the Accessory Building Regulations be given third reading and adoption.*

*On April 3, 2009 the City received an application for an amendment to the Zoning Bylaw from Mr. Gordon Heenan, owner of property located at 4212 Eby Street. The application requested that the Zoning Bylaw be amended to allow the development of a secondary suite in an accessory building on an AR2 – Rural parcel. The application requested a general text amendment that would amend the permitted uses in the Zoning Bylaw to allow this form of secondary suite development on a property in the AR2- Rural Zone.*

*The amending bylaw includes the specific changes required to the sections pertaining to the AR1 and AR2 Zones as well as the changes in the Definitions and General Regulations portions of the Zoning Bylaw pertaining to secondary suites and accessory buildings. These larger rural parcels offer adequate space for a “carriage house” type accessory building with a suite above a garage or storage area. The parcel size would also accommodate a secondary suite in a small stand alone accessory building such as a cabin. The proposed amendment will allow more flexibility for a large rural parcel owner when considering development of a secondary suite and will offer community residents a wider range of affordable housing choice.*

*Council, during the Committee of the Whole Development Services Component of their November 23, 2009 meeting, reviewed the planning report and discussed the bylaw amendments. After deliberations the Committee recommended that the proposed text amendment in the Zoning Bylaw proceed. The bylaw received 1st and 2nd readings at the November 23, 2009 Council Meeting.*

*Notice of public hearing concerning the Zoning Bylaw amendment was prepared and appeared in the January 13, 2010 and January 20, 2010 issues of the Terrace Standard.*

*The notice to the paper indicated the place and time where the relevant bylaw and background documents could be viewed and included a time and location for this public hearing at which citizens are invited to make presentations to Council concerning the subject application.*

*Submitted by  
DB/tw*

*Approved for Submission to Council*

**CITY OF TERRACE**

**ADP-02-0916**

Public Hearing,  
3<sup>rd</sup> Reading & Adoption

**BYLAW NO. – 2010**

**"A BYLAW OF THE CITY OF TERRACE TO AMEND ZONING BYLAW NO. 1431-1995, AND AMENDMENTS THERETO, BY AMENDING THE PERMITTED USES AND REGULATIONS IN THE AR1 – AGRICULTURAL AND AR2 – RURAL ZONES, THE SECONDARY SUITE DEFINITION AND REGULATIONS AND THE ACCESORY BUILDING REGULATIONS."**

*WHEREAS* the Municipal Council of the City of Terrace has adopted Zoning Bylaw No. 1431-1995, and amendments thereto;

*AND WHEREAS* from time to time, zoning categories will require changes;

*NOW THEREFORE*, the Municipal Council of the City of Terrace, in open meeting assembled, hereby enacts as follows:

1.0 Amend Section 2.0 Definitions by including the following definition:

**SECONDARY SUITE** means a second and subordinate dwelling unit within a single detached dwelling or within an accessory building where permitted by this Bylaw.

2.0 Amend Section 4.3 by deleting the following statement:

*No accessory building or structure shall be used as a dwelling.*

3.0 Amend Section 4.3.3 Maximum Size of an Accessory Building by adding the following regulation for the AR1 and AR2 Zones:

*Unlimited, unless the use is for a Secondary Suite in which case the Accessory Building shall not exceed 80% of the total floor area of the principal dwelling.*

4.0 Amend Section 4.14 Secondary Suites by including the following:

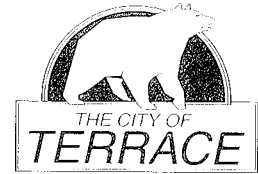
*Secondary Suites where permitted in a zone by this Bylaw are subject to the following regulations:*

*.1 Only one Secondary Suite shall be permitted on a Parcel.*

*.2 The maximum floor area of a Secondary Suite in a Principal Building shall not exceed the lesser of 90 square metres or 40% of the total floor area of the Principal Building in which it is located.*

- .3 The maximum floor area of a Secondary Suite in an Accessory Building shall not exceed 90 square metres.
- .4 A Secondary Suite in a Principal Building shall not be sited on a Parcel having a Parcel area of less than 500 square metres nor a Parcel Width of less than 15 metres.
- .5 A Secondary Suite in an Accessory Building shall not be sited on a Parcel having a Parcel area of less than 1.0 acre (4047 square metres) nor a Parcel Width of less than 30 metres.
- .6 Strata titling of a Secondary Suite is not permitted.
- 5.0 Amend Section 10.1.2.7 AR1 – Agricultural Permitted Uses by including the following:
- .7 accessory use, including a secondary suite within a single detached dwelling or in an accessory building.
- 6.0 Amend Section 10.1.3.5 AR1 – Agricultural Regulations for Maximum Building Height by including the following:
- |   |                  |
|---|------------------|
| .5 <b>Column I</b>                        | <b>Column II</b> |
| accessory building with a secondary suite | 9 m (30 ft)      |
- 7.0 Amend Section 10.2.2.6 AR2 – Rural Permitted Uses by including the following:
- .6 accessory use, including a secondary suite within a single detached dwelling or in an accessory building.
- 8.0 Amend Section 10.2.3.5 AR2 – Rural Regulations for Maximum Building Height by including the following:
- |   |                  |
|---|------------------|
| .5 <b>Column I</b>                        | <b>Column II</b> |
| single detached dwelling                  | 9 m (30 ft)      |
| Accessory building                        | 12 m (40 ft)     |
| accessory building with a secondary suite | 9 m (30 ft)      |
- 9.0 This Bylaw may be cited, for all purposes, as "**Zoning Amendment (AR1 & AR2 Secondary Suites) Bylaw No. – 2010**".





CITY OF TERRACE

DEVELOPMENT SERVICES DEPARTMENT

PUBLIC HEARING REPORT

**MEMO:** Ron Poole, CAO FOR Mayor and Council

**FROM:** David Block, City Planner

**DATE:** January 25, 2010

**SUBJ:** **OCP Amendment and Zoning Amendment for the property legally described as Lot A, District Lot 361, Range 5, Coast District, Plan BCP42654 [4620 Davis Avenue].**

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**RECOMMENDATIONS:**

*It is recommended that* bylaw No ADP-02-0920 be amended at 2<sup>nd</sup> Reading to exclude Lot A, Plan 1265 from within the area designated as Downtown and to subsequently amend the Land Use designation for Lot A to Multi-Family (Townhouse) and to remove any reference to Remainder Lot 2, Plan 1265 from the bylaw.

*It is recommended that* the bylaw to amend the Official Community Plan Bylaw No. 1771-2002 to exclude Lot A, District Lot 361, Plan BCP42654 [4620 Davis Avenue] from the area designated as Downtown and to change the Land Use designation of this parcel from Community and Public Use, Multi-Family Apartment and D2 Mixed Use Downtown to Multi-Family (Townhouse) proceed to Council for third reading and adoption as amended.

*It is recommended that* the bylaw to amend the Zoning Bylaw No. 1431-1995 by changing the zoning designation from Public and Institutional (P1) and High Density Multi-Family Residential (R5) to Medium Density Multi-Family Residential (R4) for the property legally described as Lot A, District Lot 361, Plan BCP42654 [4620 Davis Avenue] proceed to Council for third reading and adoption.

**BACKGROUND:**

The City of Terrace has resolved to partner with BC Housing in the development of 24 units of affordable subsidized housing for seniors and disabled adults. The City of Terrace has acquired lands adjacent to the parcel it owns at 4620 Davis Avenue to enlarge the site which will be provided under a long term lease to BC Housing. The "Seniors Rental Housing Initiative" is funded jointly by the Federal and Provincial Governments.

The land acquisition was recently completed and the subject parcels have been consolidated to create a suitable site for this housing project. This parcel is currently split zoned with Official Community Plan (OCP) land use designations that require amendment to suit the development of a multi-family residential housing project.

The OCP amendment bylaw passed at 1<sup>st</sup> and 2<sup>nd</sup> Readings altered the current Downtown boundary to include all of new Lot A (4620 Davis Avenue) as well as Remainder 2 (3313 Kalum Street) within the area designated as Downtown. It is recommended that prior to 3<sup>rd</sup> Reading the OCP amending bylaw be revised to exclude Lot A from within the area designated as Downtown and to delete any reference to Remainder 2. Lot A, Plan 1265 will now require Land Use designations appropriate to the parcel being outside of the area designated as Downtown. The amendment to Schedule C of the OCP has also been revised to include Lot A (4620 Davis Avenue) within Development Permit Area No. 8 – Multifamily rather than Development Permit Area No. 5 – Downtown. The current OCP Land Use designation for the property at 3313 Kalum Street, owned by the Kermodei Friendship Society, will no longer be affected and all Land Use designations for this parcel will remain as is.

The Bylaw will now designate all of Lot A (4620 Davis Avenue) as Multi-Family (Townhouse) on the OCP Land Use map thereby permitting the proposed housing project to proceed. The proposed Zoning Amendment remains as passed at 1<sup>st</sup> and 2<sup>nd</sup> Readings and will rezone Lot A as R4 – Medium Density Multi-Family Residential.

Council, during the Committee of the Whole Development Services Component of their December 14, 2009 meeting, reviewed the planning report and discussed the bylaw amendments. After deliberations the Committee recommended that the proposed amendments in the OCP and Zoning bylaw proceed. The bylaws received 1<sup>st</sup> and 2<sup>nd</sup> readings at the December 14, 2009 Council Meeting.

Notices of public hearing concerning the OCP and Rezoning amendments were prepared and mailed to all affected property owners and also appeared in the January 13, 2010 and January 20, 2010 issues of the Terrace Standard.

The notice to the paper indicated the place and time where the relevant bylaws and background documents could be viewed and included a time and location for this public hearing at which citizens are invited to make presentations to Council concerning the subject applications. The notices to the affected property owners included the above information as well as the planning report from the December 14, 2009 Development Services Component of the Committee of the Whole. The Kermodei Friendship Society was also contacted directly to clarify the proposed amendment to the OCP Bylaw at 2<sup>nd</sup> Reading.

Two members of the Strata Council for Maple Estates, located adjacent to the subject parcel at 3404 Adam Street, met with staff to receive clarification on the layout and design of the proposed seniors and disabled housing units.

**ADP-02-0920**

Public Hearing, Amend at 2<sup>nd</sup>  
Reading, 3<sup>rd</sup> Reading &  
Adoption

**CITY OF TERRACE**

**BYLAW NO.                    – 2010**

**"A BYLAW OF THE CITY OF TERRACE TO AMEND THE OFFICIAL COMMUNITY PLAN BYLAW NO. 1771-2002, AND AMENDMENTS THERETO, TO ADJUST THE DOWNTOWN BOUNDARY AND REDESIGNATE THE PROPERTY AT 4620 DAVIS AVENUE."**

**WHEREAS** the Municipal Council of the City of Terrace has adopted Official Community Plan Bylaw No. 1771-2002, and amendments thereto;

**NOW THEREFORE**, the Municipal Council of the City of Terrace, in open meeting assembled, hereby enacts as follows:

- 1.0 Schedule B (Land Use) and Schedule B1 (Downtown Land Use) of the Official Community Plan Bylaw No. 1771-2002 is hereby amended to exclude the following parcel from the area designated as Downtown:

**Lot A, District Lot 361, Range 5, Coast District, Plan BCP42654**

- 2.0 Schedule B (Land Use) and Schedule B1 (Downtown Land Use) of the Official Community Plan Bylaw No. 1771-2002 is hereby amended to show the land use designation of the property shown hatched on Appendix "A", attached hereto, and forming part of this Bylaw, and described as:

**Lot A, District Lot 361, Range 5, Coast District, Plan BCP42654**

**CHANGED FROM: Community and Public Use, Multi-Family (Apartment) and D2 Mixed Use Downtown**

**TO: Multi-Family (Townhouse)**

- 3.0 Schedule C (Development Permit Areas) of the Official Community Plan Bylaw No. 1771-2002 is hereby amended as follows:

**Lot A, District Lot 361, Range 5, Coast District, Plan BCP42654, shown hatched on Appendix "A", attached hereto, and forming part of this Bylaw shall be designated as Development Permit Area No. 8 – Multi-Family.**

- 4.0 This Bylaw may be cited, for all purposes, as **"Official Community Plan Amendment (4620 Davis Avenue) Bylaw No.                    – 2010"**.

**READ a first time** this 14<sup>th</sup> day of December, 2009.

**READ a second time** this 14<sup>th</sup> day of December, 2009.

**PUBLIC HEARING HELD** this            day of            , 2010.

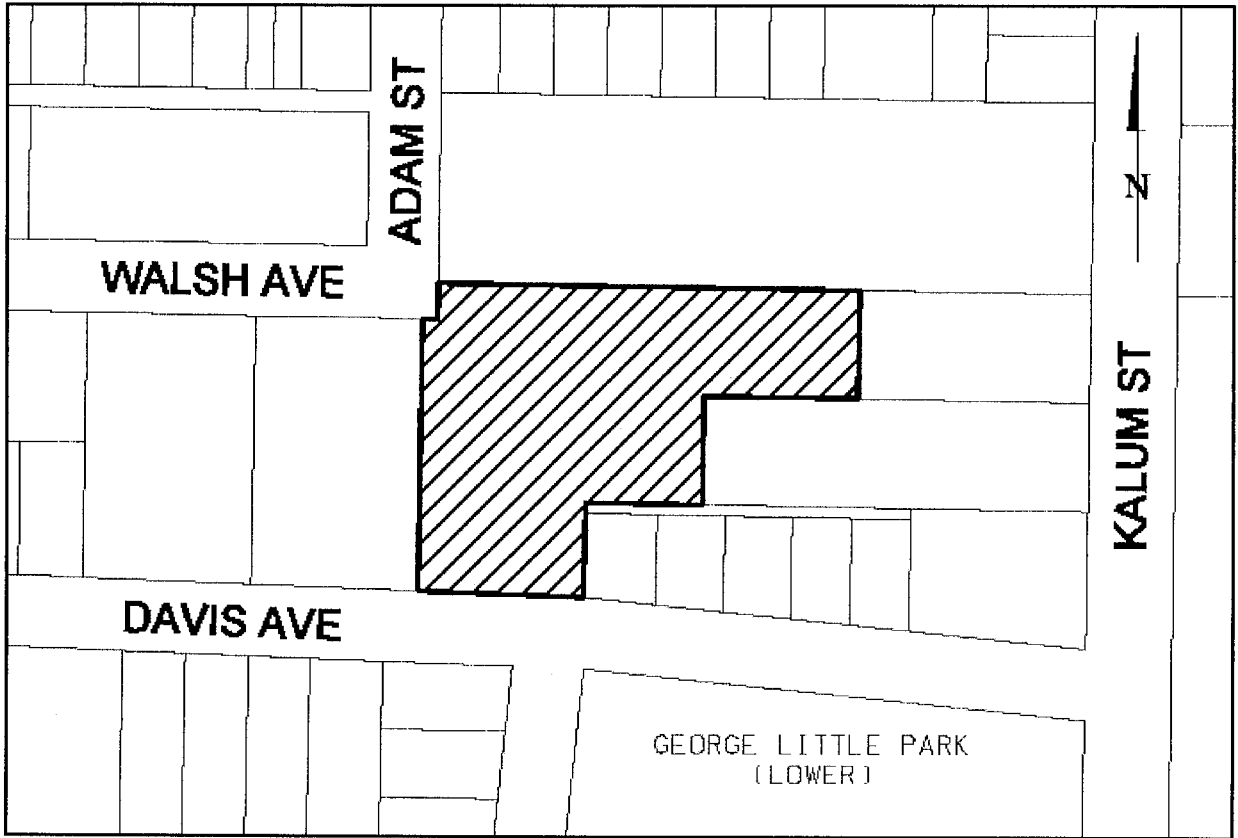
**READ a third time** this            day of            , 2010.

**ADOPTED** this            day of            , 2010.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

**APPENDIX "A"**



**CITY OF TERRACE**

**ADP-02-0921**

*Public Hearing,  
3<sup>rd</sup> Reading & Adoption*

**BYLAW NO. \_\_\_\_\_ - 2010**

**"A BYLAW OF THE CITY OF TERRACE TO AMEND ZONING BYLAW NO. 1431-1995, AND AMENDMENTS THERETO, TO REZONE THE PROPERTY AT 4620 DAVIS AVENUE."**

**WHEREAS** the Municipal Council of the City of Terrace has adopted Zoning Bylaw No. 1431-1995, and amendments thereto;

**AND WHEREAS** from time to time, zoning categories will require changes;

**NOW THEREFORE**, the Municipal Council of the City of Terrace, in open meeting assembled, hereby enacts as follows:

1.0 Schedule A (Zoning Map) of Zoning Bylaw No. 1431-1995 is hereby amended to show the properties shown hatched on Appendix "A" attached hereto, and forming part of this Bylaw; and described as:

**Lot A, District Lot 361, Range 5, Coast District, Plan BCP42654**

**CHANGED FROM: P1 (Public and Institutional) & R5 (High Density Multi-Family Residential)**

**TO: R4 (Medium Density Multi-Family Residential)**

2.0 This Bylaw may be cited, for all purposes, as "**Zoning Amendment (4620 Davis Avenue) Bylaw No. \_\_\_\_\_ - 2010**".

**READ a first time** this 14<sup>th</sup> day of December, 2009.

**READ a second time** this 14<sup>th</sup> day of December, 2009.

**PUBLIC HEARING HELD** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**READ a third time** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

**"APPENDIX A"**

