



THE CORPORATION OF THE CITY OF ROSSLAND PUBLIC HEARING

Bylaw #2459- Zoning Amendment – 1807 Columbia Avenue
Bylaw #2464- Zoning Amendment – 1681 Kootenay Avenue

CITY HALL COUNCIL CHAMBER
Tuesday, October 13, 2009, 7:00 PM

- (1)** CALL THE PUBLIC HEARING TO ORDER and advise the purpose of the Public Hearing is to consider the “Zoning Amendment Bylaw, No. 2459, 2009 (8)”, and “Zoning Amendment Bylaw, No. 2464, 2009 (11)”.
- (2)** The City Clerk provides information as to how the meeting was publicized and if any correspondence or petitions have been received for the record.
- (3)** BYLAW CONSIDERATIONS:

(a) Bylaw #2459– Zoning Amendment Bylaw, No. 2459, 2009 (8):

Applicant: City of Rossland

Legal Description: Lot 24, Block 26, DL 535, Kootenay District Plan 579 (1807 Columbia Avenue – Rotary Health Center)

Purpose: To amend the City of Rossland Zoning Bylaw #1912, such that the subject property is rezoned from P-1 – Public and Institutional to CD-8 – Downtown Limited Commercial Zoning, to allow for limited commercial options on the property.

(b) Bylaw #2464 – Zoning Amendment Bylaw, No. 2464, 2009 (11):

Applicant: Wellspring Developments Inc. - Bob Reardon.

Legal Description: Parcel A (N26238), Block 6, DL 535, Plan 579 (1681 Kootenay Avenue).

Purpose: To amend the City of Rossland Zoning Bylaw #1912, such that the subject property is rezoned from R-31 – Multiple Family Infill to R-1 Residential Single Detached to allow for the building of a single family residence.

PROCEDURE

- (c)** Staff, if requested by the Mayor, will provide a brief description
- (d)** Mayor will call for representations from the public in attendance.
- (e)** The public may ask questions, through the Chair, in order to clarify details of the proposal.

(4) ADJOURNMENT

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW # 2459

A BYLAW TO AMEND THE CITY OF ROSSLAND ZONING BYLAW No. 1912, 1999.

WHEREAS Part 26 of the *Local Government Act* R.S.B.C. 1996, c.323 authorizes the Council of the City of Rossland to establish and amend a zoning bylaw;

AND WHEREAS the Council of the City of Rossland deems it necessary and expedient to amend the City of Rossland's Zoning Bylaw No. 1912,1999.

NOW THEREFORE, the Council of the City of Rossland, in open meeting assembled, ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the **Zoning Amendment Bylaw, No.2459, 2009(8)**

AMENDMENT

Schedule "A" of Zoning Bylaw #1912 is hereby amended by adding the following new section:

SECTION 31 – CD-8 –DOWNTOWN LIMITED COMMERCIAL

This zone covers buildings in the Downtown Core that have limited commercial options.

Permitted Uses

31.1 The following uses and no others shall be permitted in the CD-8 zone:

- .1 clinic;
- .4 office;
- .5 office supplies and office services;
- .6 personal service establishment;
- .7 print shop;
- .8 public parking area;
- .9 restaurant;
- .10 retail store;
- .11 theatre;
- .12 residential dwelling in conjunction with a core commercial use subject to subsection (31.3) below;
- .14 accessory buildings and uses;
- .15 home occupation

.16 Public Assembly

Regulations

31.2 On a parcel located in an area zoned CD-8, no building or structure shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out below:

- .1 The **minimum parcel area** is 270 square meters
- .2 The **minimum parcel frontage** is 9.0 m.
- .3 The **maximum height** is 12.0 m for principal buildings and 4.5 m for accessory buildings.
- .4 The **minimum setback from parcel lines** are as follows:
 - No front yard setback is required
 - 3.0 m from the rear parcel line
 - 0.5 m setback from a side parcel line is required.

31.3 A Residential Use shall be permitted in conjunction with a commercial use in an area zoned CD-8, provided that the residential dwelling(s):

- .1 is located on a level of the building other than the commercial street level of the building within which the permitted use is carried out;
- .2 is contained in the same building as the commercial use.
- .3 has a separate direct access to the outside of the building;

2. Schedule "B" of Zoning Bylaw #1912 is hereby amended such that the following property is rezoned from P-1 Public and Institutional to **CD-8-Downtown Limited Commercial**:

PID 026-086-140, Lot 24, Block 26, District Lot 535, Kootenay District Plan 579

as shown hatched on Schedule "1" attached to and forming part of this Bylaw.

ENACTMENT

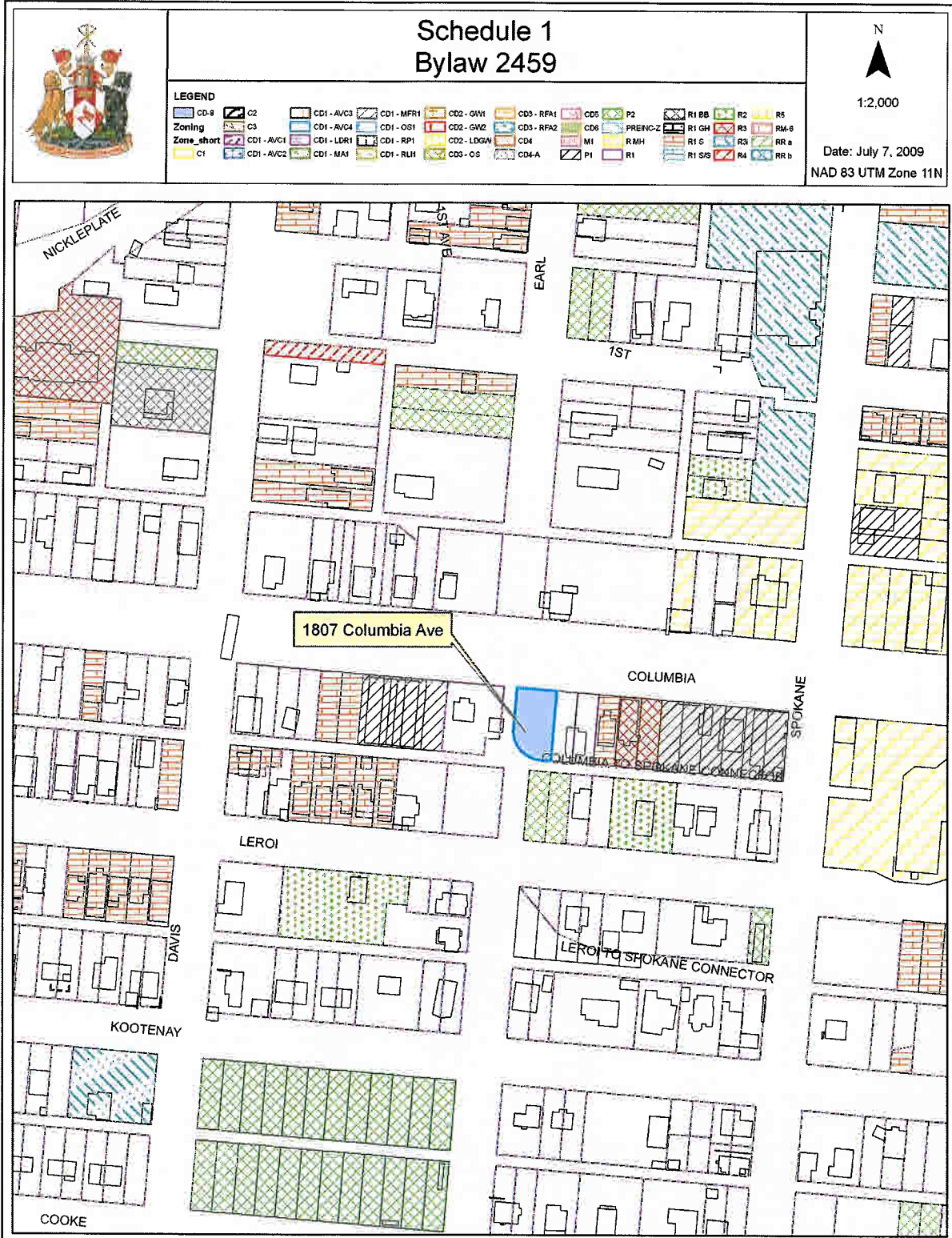
3. (1) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) This Bylaw shall come into full force and effect on the final adoption thereof

READ A FIRST TIME	this 13 th . day of July, 2009
READ A SECOND TIME	this 13 th . day of July, 2009
FIRST PUBLIC HEARING	this 27 th . day of July, 2009
FIRST and SECOND READING RESCINDED	this 17 th . day of August, 2009
RE-READ A FIRST TIME	this 17 th . day of August, 2009
RE-READ A SECOND TIME	this 17 th . day of August, 2009
FIRST and SECOND READING RESCINDED	this 14 th . day of September, 2009
RE-READ A FIRST TIME	this 14 th . day of September, 2009
RE-READ A SECOND TIME	this 14 th . day of September, 2009
SECOND PUBLIC HEARING	this 13 th . day of October, 2009
READ A THIRD TIME	this day of, 2009
FINALLY ADOPTED	this day of, 2009

Mayor

Deputy City Clerk

THE CORPORATION OF THE CITY OF ROSSLAND



THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW # 2464

A BYLAW TO AMEND THE CITY OF ROSSLAND ZONING BYLAW No. 1912, 1999.

WHEREAS Part 26 of the *Local Government Act* R.S.B.C. 1996, c.323 authorizes the Council of the City of Rossland to establish and amend a zoning bylaw;

AND WHEREAS the Council of the City of Rossland deems it necessary and expedient to amend the City of Rossland's Zoning Bylaw No. 1912,1999.

NOW THEREFORE, the Council of the City of Rossland, in open meeting assembled, ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the **Zoning Amendment Bylaw, No.2464, 2009(11)**

AMENDMENT

2. Zoning Bylaw #1912 is hereby amended such that the following property is rezoned from R-3I-Multiple Family Infill to **R-1 Residential Single Detached**:

- Parcel A (N26238), Block 6, D.L. 535, Plan 579 (1681 Kootenay Ave)

as shown hatched on Schedule "A" attached to and forming part of this Bylaw.

ENACTMENT

3. (1) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) This Bylaw shall come into full force and effect on the final adoption thereof

READ A FIRST TIME
READ A SECOND TIME

this 14th. day of September, 2009
this 14th. day of September, 2009

PUBLIC HEARING
READ A THIRD TIME
FINALLY ADOPTED

this 13th. day of October, 2009
this day of, 2009
this day of, 2009

Mayor

Deputy City Clerk

Bylaw 2464 Schedule A

