



DISTRICT OF PORT HARDY

BYLAW NO. 1025-2014

A Bylaw to Amend Official Community Plan Amendment Bylaw No. 15-2011 to Expand the Exemptions Related to the Requirement for Development Permits, and to Change the Land Use Designation of Property in the Vicinity of Holberg Road

WHEREAS the Council of the District of Port Hardy deems it expedient to amend Bylaw No. 15-2011;

NOW THEREFORE the Council of the District of Port Hardy in open meeting assembled enacts as follows:

PART 1 CITATION

1.1 This Bylaw shall be cited as "Official Community Plan Bylaw Amendment Bylaw No. 1025-2014".

PART 2 TEXT AMENDMENTS

2.1 Official Community Plan Bylaw No. 15-2011 is hereby amended as follows:

- a) Section 7.10.3 DEVELOPMENT PERMIT EXEMPTIONS is hereby deleted and replaced with the following new Section 7.10.3 DEVELOPMENT PERMIT EXEMPTIONS:

"A Development Permit will not be required in situations where at least one of the following exemption criteria applies:

- a) *Construction for the purposes of accommodating a carriage home dwelling, duplex dwelling, manufactured home dwelling, secondary suite dwelling or single family dwelling;*
- b) *Subdivisions creating four or fewer lots;*
- c) *The value of the proposed construction as it relates to the exterior of an existing building is less than \$100,000;*
- d) *Renovations or alterations to the interior of an existing building;*
- e) *An addition to an existing building where the value of construction is less than \$100,000;*
- f) *New buildings that are less than 100 square metres in gross floor area;*
- g) *Planting of native trees, shrubs or ground cover or the alteration of land for the purposes of slope and soil stabilization, habitat improvement, erosion control and beautification except;*
- h) *Structural alteration of legal or legal, non-conforming buildings and structures within the existing footprint;*
- i) *The use of land is for outdoor recreational purposes and does not include buildings and structures other than fencing or nets;*
- j) *An undertaking of the District of Port Hardy or its contractors or agents;*
- k) *Emergency procedures to prevent, control or reduce erosion or other immediate threats to life and property including:*
 - i) *Flood protection and erosion protection;*
 - ii) *Removal of hazard trees (as determined by a qualified professional);*
 - iii) *Clearing of an obstruction from a bridge, culvert or drainage flow; or,*
 - iv) *Repairs to bridges and safety fences."*

PART 3 MAP AMENDMENT

3.1 Official Community Plan Bylaw No. 15-2011 is hereby amended as follows:

- a) MAP 1 LAND-USE of Appendix A – Mapping, is amended by changing the land use designation of a portion of the property which is legally described as Northwest ¼ of Section 25, Township 9, Rupert District, Except Part in Plan 49088, from Rural Resource to Industrial and Comprehensive Development Area 2 as shown on Schedule "A" which is attached to and forms part of this Bylaw.

PART 4 SEVERABILITY

4.1 If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Official Community Plan Bylaw Amendment Bylaw No. 1025-2014 was given first reading the 22nd day of April, 2014.

Notice of Public Hearing posted at the Municipal Hall and published in the North Island Gazette Newspaper on the 1st of May, 2014 and the 8th of May, 2014 in accordance with Sections 890 and 892 of the *Local Government Act*.

Public Hearing conducted on the 12th day of May, 2014.

Official Community Plan Bylaw Amendment Bylaw No. 1025-2014 was given second and third readings on the 26th day of May, 2014.

Official Community Plan Bylaw Amendment Bylaw No. 1025-2014 was adopted on the 26th day of May, 2014.



Jeff Long, Corporate Officer



Deputy Mayor Jessie Hemphill



**Schedule "A" to District of Port Hardy Official Community Plan Bylaw
Amendment Bylaw No. 1025-2014**

