

VILLAGE OF CHASE

BYLAW NO. 458

A BYLAW TO AMEND THE VILLAGE OF CHASE OFFICIAL COMMUNITY PLAN BYLAW NO. 263, 1983 AND AMENDMENTS THERETO

WHEREAS the Village of Chase has an existing Official Community Plan adopted as the Village of Chase Community Plan No. 263, 1983:

AND WHEREAS the Village Council deems it desirable, in order to ensure that the Community Plan in place is appropriate for current conditions, that the Official Community Plan be amended;

AND WHEREAS a Public Hearing will be held in accordance with the Provisions of Section 956(1) of the Municipal Act;

NOW THEREFORE the Council of the Village of Chase, in open meeting assembled, enacts as follows;

(1) This Bylaw may be cited for all purposes as the "Village of Chase Official Community Plan Amendment Bylaw No. 458."

(2) That Area 8 - Thompson Paquette Road residential be added to the Official Community Plan as Section 5.2.8 as follows:-

5.2.8 Area 8 - Thompson Avenue/Paquette Road Residential

.1 Designation

The area shown on Schedule "B" is designated as a Development Permit area pursuant to section 945 (.4)(a) (b) & (e) of the Municipal Act.

.2 Justification

There are three principal justifications for designating Area 8 as a development permit area. First, the site is subject to hazardous conditions including slope stability and location substantially within the Chase Creek floodplain. Second, Chase Creek itself is a significant natural feature within the Village and, as such, warrants protection. Third, the site has potential for residential development at densities which are higher than those characteristic of surrounding residential uses.

.3 Guidelines

For developments within Area 8 a development permit may be issued in accordance with the following:

- a) Completion of a geotechnical report prepared by a professional engineer describing the slope and soil conditions of the site as they relate to slope stability, and conditions under which development may proceed. Should development proceed, it must be supervised by a professional engineer to ensure compliance with stated conditions.
- b) Registration of soil engineer restrictions as a restrictive covenant against each legal parcel may be required by the Village as a means to protect the Village from liability in case of property damage due to slope failure, or to ensure property owners are aware of the slope stability requirements.

- c) In accordance with the advise of Ministry of Environment the following requirements be established as guide lines: the minimum distance between the natural boundary of Chase Creek and any residential development on the flood plain shall be 30 metres. In addition, any landfill or structural support required to elevate a floor system or pad shall be above the flood level.
- d) The bank protection of Chase Creek will have to be assessed and designed by a professional engineer to Ministry of Environment standard's to a minimum of the 200 year flood level. The construction of bank protection works must be supervised by a professional engineer to ensure compliance with design requirements
- e) Registration of a "save harmless" restrictive covenant against each legal parcel may be required by the Ministry of Environment as a means to protect the province and the Village of Chase from liability in case of property damage due to flooding, or to ensure property owners are aware of flood protection requirements.
- f) In accordance with Ministry of Environment recomendation a 10 metre wide right-of-way following the natural boundary of Chase Creek shall be provided with no buildings being built thereon. This right-of-way will ensure protection of Chase Creek's banks and natural features, allow access for maintenance activities and allow development of the Chase Creek Trail system for the enjoyment of Village residents and visitors.
- g) The general character of any development should allow buildings to be well integrated with the surrounding natural landscape and should complement the setting beside Chase Creek.
- h) Buildings should be designed and sited to minimize the effect on adjacent residential uses through forming the appearance of individual residential units or clusters of units.
- i) Off-street parking should be broken into small groups with visual breaks and landscaping and may be located within the floodplain setback area.
- j) Plantings, trees, berms and other landscape features should be utilized to integrate the development with the natural setting and surrounding land uses.

(3) That "Map No. 4 Land Use Plan" of the Official Community Plan Bylaw #263 is hereby amended as shown as "Schedule A" attached to and forming part of this Bylaw redesignating that area shown on schedule "A".

FROM: 1) Redevelopment Area #3 - Tourist Campground
TO: 2) Future Residential - allowing Low Density
- Medium Density & High Density Residential.

(4) That "Map No. 8 - Development Permit Areas" of Schedule "B" of the Official Community Plan Bylaw #263 be amended to designate that area as shown as "Schedule B" as Development Permit Area #8 and is attached to and forms part of this Bylaw.

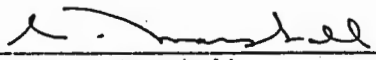
READ A FIRST time this 23rd. day of July 1992.

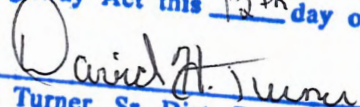
READ A SECOND time this 23rd. day of July 1992.

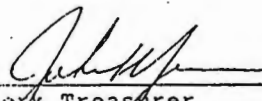
PUBLIC HEARING held this 27th. day of August 1992.

READ A THIRD time this 27th. day of August 1992.

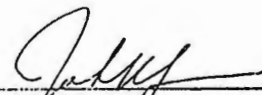
RECONSIDERED and FINALLY ADOPTED this 10th. day of September 1992.


Mayor C. Marshall

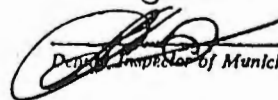
Approved under the Highway Act this 12th day of May 1993. 
D.H. Turner, Sr. Dist. Dev. Tech.
Ministry of Transportation & Highways

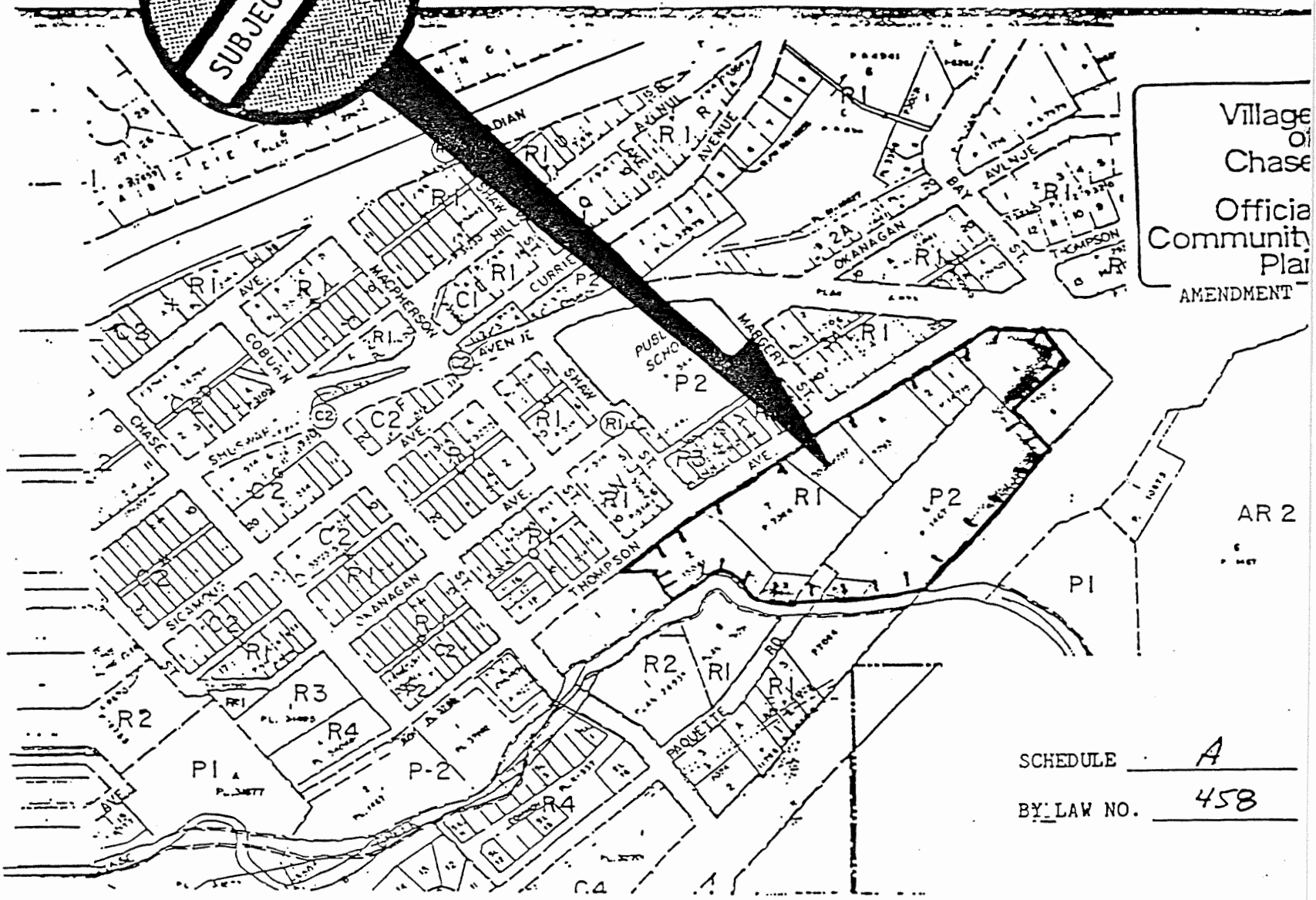

Clerk Treasurer
John K. Spanier

I hereby certify that this is a true copy of Bylaw No. 458 as adopted this 10 day of September, 1992.


Clerk Treasurer
John K. Spanier
458.BYL

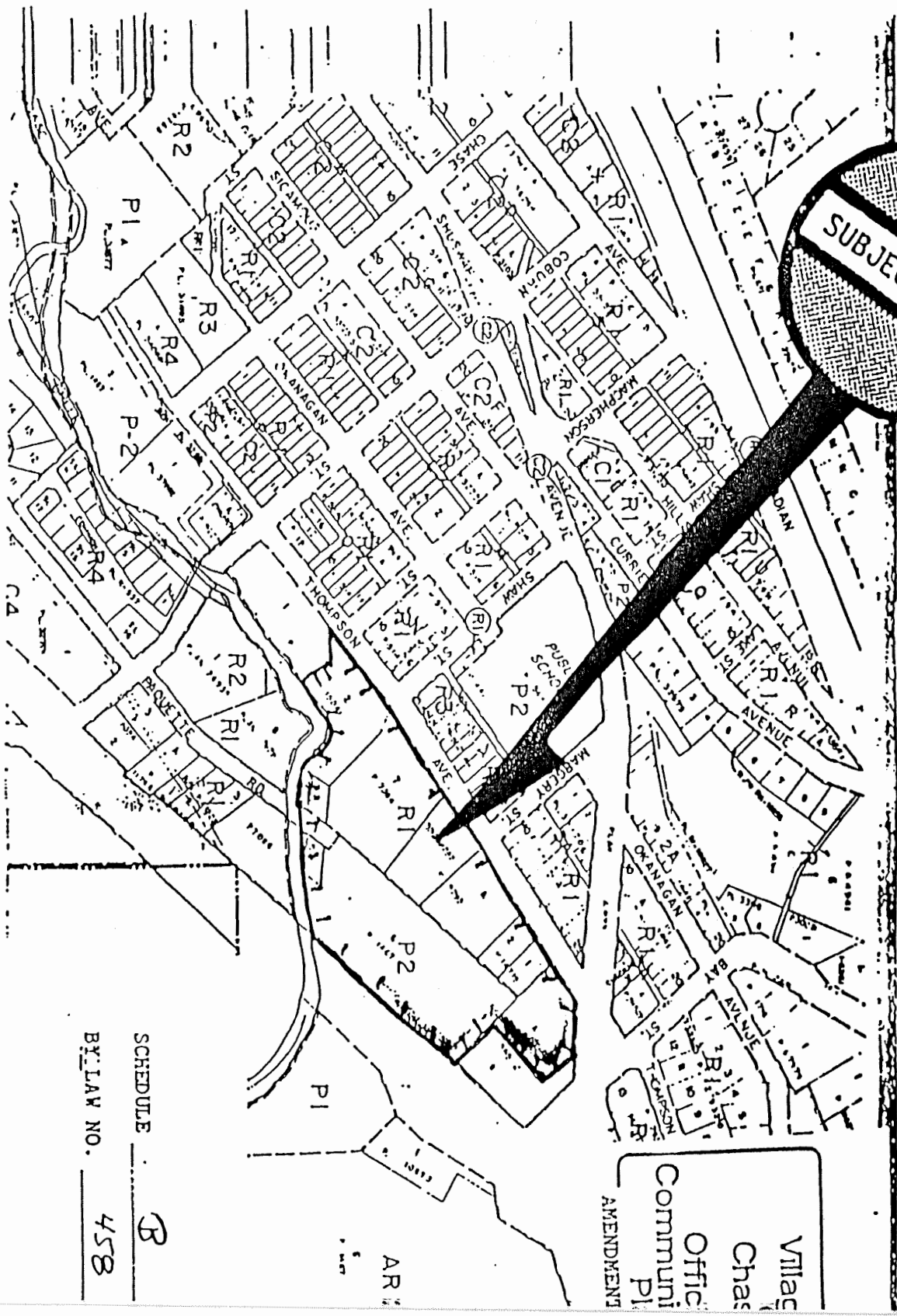
A true copy of By-Law No. 458 registered in the office of the Inspector of Municipalities this 3rd day of December 1992.


Inspector of Municipalities



Village
of
Chase
Official
Community
Plan
AMENDMENT

SCHEDULE A
BY LAW NO. 458



SUBJECT SITE

Village
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 Office
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 P1
 AMENDMENT

SCHEDULE B
 BY-LAW NO. 458

VILLAGE OF CHASE

BYLAW NO. 458

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(3) That "Map No. 4 Land Use Plan" of the Official Community Plan Bylaw #263 is hereby amended as shown as "Schedule A" attached to and forming part of this Bylaw redesignating that area shown on schedule "A".

FROM: 1) Redevelopment Area #3 - Tourist Campground

TO: 2) Future Residential - allowing Low Density
- Medium Density & High Density Residential.

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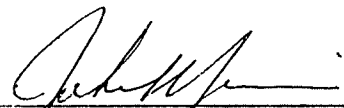
PUBLIC HEARING held this 27th. day of August 1992.

READ A THIRD time this 27th. day of August 1992.

RECONSIDERED and FINALLY ADOPTED this 10th. day of September 1992.




Mayor C. Marshall

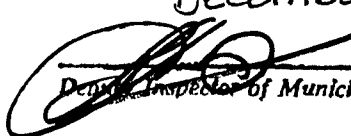


Clerk Treasurer
John K. Spanier

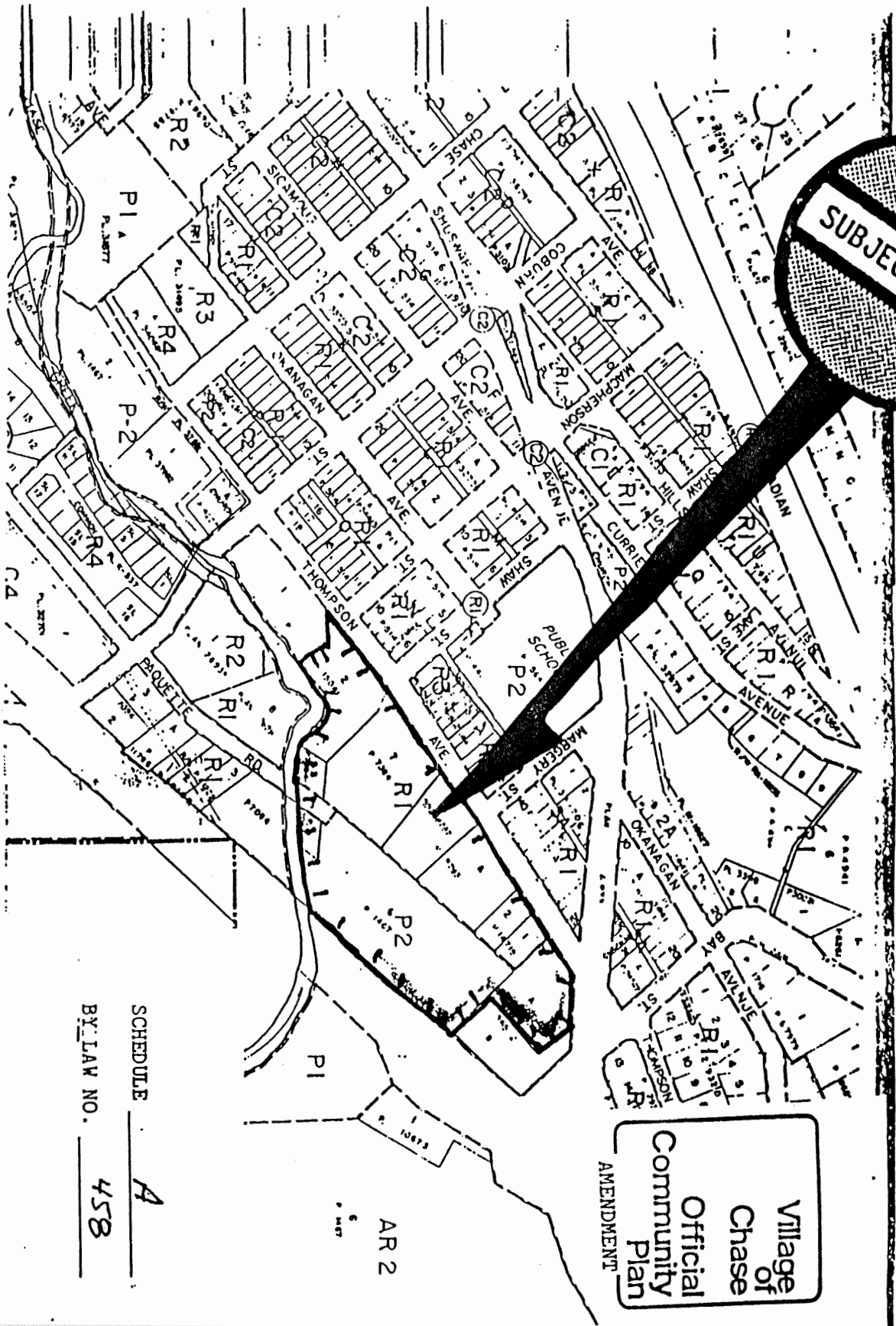
I hereby certify that this is a true copy of Bylaw No. 458 as adopted this 10 day of September, 1992.



Clerk Treasurer
John K. Spanier
458.BYL

A true copy of By-Law No. 458
registered in the office of the Inspector
of Municipalities this 3rd day of
December 1992.


Denise, Inspector of Municipalities

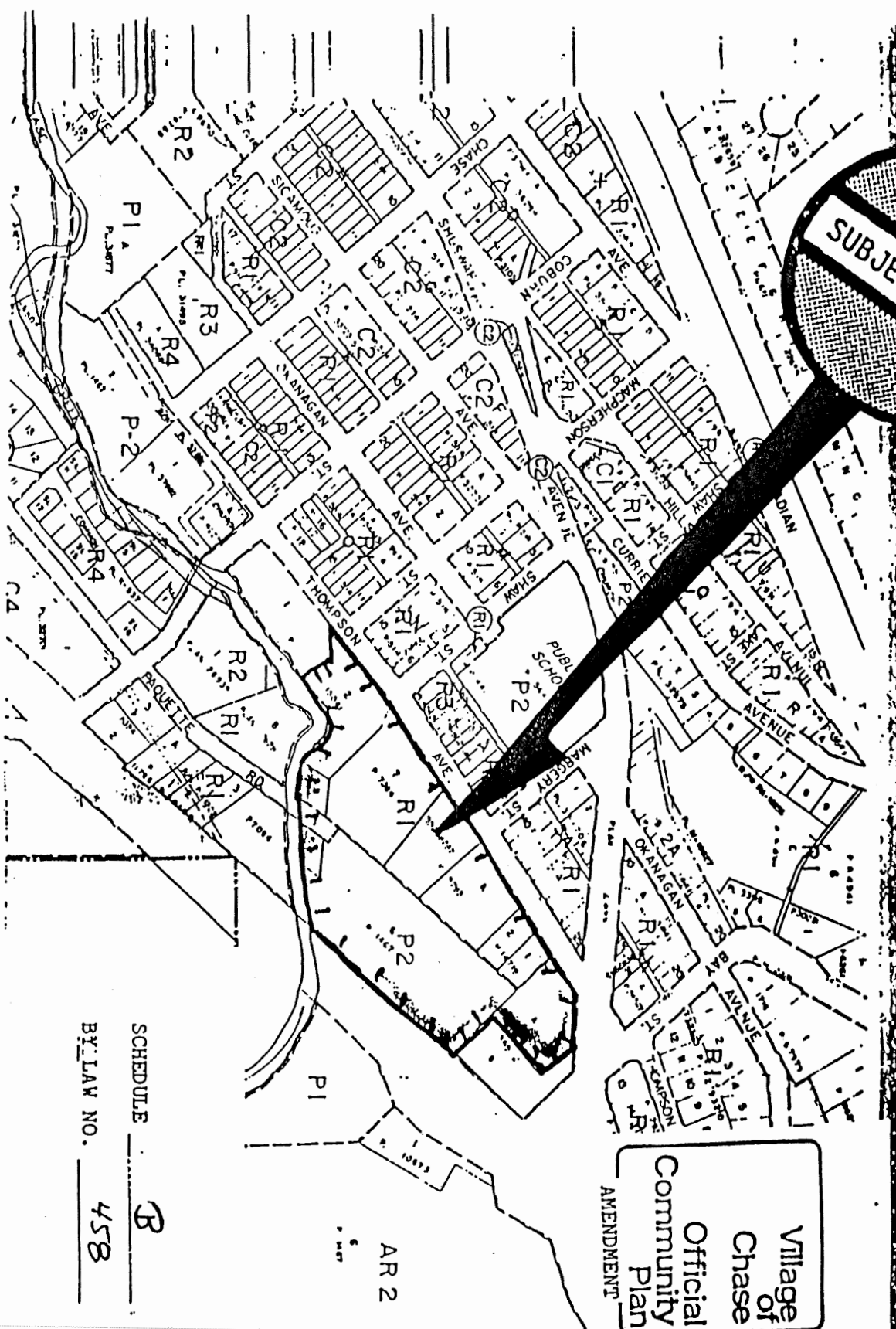


SUBJECT SITE

Village
of
Chase
Official
Community
Plan
AMENDMENT

SCHEDULE A
BY LAW NO. 458

AR 2



SUBJECT SITE

Village of Chase
 Official Community Plan
 AMENDMENT

SCHEDULE B
 BY LAW NO. 458

AR 2