Village of
Montrose

Official Community Plan

Bylaw 504

Village of Montrose

Bylaw 504

A bylaw to adopt an Official Community Plan

WHEREAS the Council of the Village of Montrose wishes to adopt a new Official Community Plan pursuant to the *Municipal Act*;

AND WHEREAS the Council has reviewed this Official Community Plan in conjunction with the Village's capital expenditure program to ensure consistency between them;

AND WHEREAS the Council has given community residents adequate opportunity to examine and comment on this Official Community Plan;

NOW THEREFORE the Council of the Village of Montrose, in open meeting assembled, hereby enacts as follows:

1. This bylaw may be cited as "Official Community Plan Bylaw 504".

2. The following schedules, which are attached to and form part of this Bylaw, are hereby adopted as the "Village of Montrose Official Community Plan":

   Schedule A - Text of the Official Community Plan

   Schedule B - Land Use Map

   Schedule C - Development Permit Areas Map

   Schedule D - Municipal Services, Major Road Network, Public Facilities, Parks and Open Space Map.

3. If any section, sub-section, sentence, clause, phrase or map in this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

4. Village of Montrose Official Community Plan Bylaw 401 and amending Bylaws 461, 470, 477, 481, 485, 491 and 493 are repealed.

5. This bylaw shall come into full force and effect upon its registration with the Inspector of Municipalities.

READ A FIRST TIME this 20th day of January, 1997.

READ A SECOND TIME this 20th day of January, 1997.

PUBLIC HEARING HELD this 3rd day of February, 1997

READ A THIRD TIME this 3rd day of February, 1997.

RECONSIDERED AND ADOPTED this 3rd day of February, 1997.

Clerk Mayor

REGISTERED with the Inspector of Municipalities on the day of .

2.2 COMMUNITY SERVICING OBJECTIVES

The Village of Montrose provides a range of municipal services to properties and residents including community water and sewer, roads, drainage, fire protection, garbage collection, parks and recreation. In general, much of the municipality's existing infrastructure is considered adequate to serve current and expected population levels. However, several servicing system deficiencies are known to exist (e.g. need for increased capacity of sewage treatment plant clarifier, and replacement of a portion of the water supply main), and it is Council's intention to resolve these problems as finances permit.

The extension of municipal services is required to permit development of vacant lands within the Village. As well, the development of areas immediately adjoining the Village may require that additional demands be placed on municipal services. Concerns related to accommodating future development include the feasibility and costs of extending services, the impacts this may have on existing infrastructure systems, achieving an equitable basis for sharing costs between the developer and the municipality, and establishing an acceptable level of servicing for new residential subdivisions.

The following are Council's objectives for maintaining and providing municipal services in order to meet the needs of Montrose residents and to accommodate new residential development, while keeping within the financial capabilities of the Village.

Objective 1

To maintain and upgrade municipal services in a cost effective manner in accordance with demand and as municipal finances permit.

Objective 2

To provide for the extension of municipal services to new development areas through cost sharing arrangements with developers.

Objective 3

To recognize and accommodate the functional requirements of Highway 3B, while at the same time attempting to minimize the impacts of having such a high volume and relatively high speed traffic arterial routed through the community.

Objective 4

To support development in the longer term of a highway bypass route on the south side of the Beaver Valley.

Objective 5

To provide and maintain an efficient, safe and coordinated road system that will handle local traffic volumes and provide convenient access to all developed lands within the Village.

Objective 6

To support the regionalized public transportation system and promote improvements in bus services as the demand arises.

Objective 7

To maintain and develop park land and recreational facilities to a high standard to meet the needs of residents.

Objective 8

To acquire public open space in new residential subdivisions that can be integrated into an overall community park and trail system.

Objective 9

To optimize the use of existing parks and recreational facilities and work in cooperation with School District No. 20 and interested community groups in arranging for the joint use of public facilities.

Objective 10

To improve bicycle and pedestrian mobility by refining and implementing a trail network concept for the community.

2.3 ECONOMIC DEVELOPMENT OBJECTIVES

As primarily a residential community, Montrose has a limited number of commercial activities and no industry located with the municipality. Residents engaged in the work force are generally employed outside of the community. However, two issues can be noted relating to local economic activities: home occupations and access to commercial activities fronting the highway.

Council's objectives in support of the local economy are as follows:

Objective 1

In recognition of the opportunities for new businesses to start as home occupations, it is Council's objective to support home occupations in residential neighborhoods that will not negatively affect adjoining residents.

Objective 2

To ensure that safe and convenient access if provided to businesses located along Highway 3B.

2.4 ENVIRONMENTAL OBJECTIVES

The attractive natural setting of Montrose is an important aspect of the quality of life enjoyed by community residents. A primary focus of this plan is to protect the area's scenic character, wildlife habitat, water quality, and other ecological features and functions. The Village's hillside location also poses potential hazards to new development in terms of slope instability, rock fall and ground water flows. Council's objectives for protecting the natural environment, as well as ensuring that development is safeguarded from potential natural hazards, are as follows:

Objective 1

To ensure that future development is sensitively located and carried out with due regard for significant natural features and the quality and conservation of water, air and soil.

Objective 2

To control development in areas that may be subject to ground water flows, slope instability or rock fall hazards and establish guidelines requiring that these conditions be addressed and resolved.

Objective 3

To work in the longer term toward reforestation of the hillside slopes to the north of the Village.

Objective 4

In the event that an electric power transmission line is to be constructed in the area, it is Council's objective to encourage the routing of this transmission line in a location that minimizes visual and aesthetic impacts and potential hazards to small aircraft.

Objective 5

To protect natural drainage systems and the multiple environmental and cultural benefits of vegetated stream and ravine corridors.

SECTION 3.0 - POLICIES OF COUNCIL

This section contains the policies of Council which are intended to achieve the objectives set out in Section 2.0.

3.1 GENERAL FORM AND CHARACTER OF DEVELOPMENT

Policy 1 - Overall Land Use Pattern

The future use and development of land within the Village of Montrose shall be consistent with the overall pattern of land use depicted on Schedule B - Land Use Map, based on the following land use designations:

.1 Single Family Dwelling Residential;
.2 Multiple Unit Residential;
.3 Commercial;
.4 Institutional and Public Service;
.5 Parks, Open Space and Recreational Facilities.

Policy 2 - Land to Accommodate Development

To ensure that an adequate supply of land is available to meet development needs, Council intends to make every reasonable effort, through the land use and subdivision review processes, to accommodate development initiatives. To this end, concept plans have been prepared to illustrate preferred development approaches for several vacant areas within the Village. These concept plans are described in the Background Report prepared for Official Community Plan Bylaw 401, 1989.

Policy 3 - Compatibility with the Existing Form and Character of the Community

While it is Council's intention to support and facilitate development, Council will ensure that new development is located and carried out in a manner that is compatible with the existing form and character of the community.

Policy 4 - Buffers and Screening Between Different Land Uses

Council shall encourage the use of landscape buffers or visual screening between incompatible land uses that are developed on adjoining sites.

Policy 5 - Property Maintenance

Council shall encourage a high standard of maintenance for private dwellings and property.

Policy 6 - Community Appearance

Recognizing the municipality's role in helping to achieve an attractive, livable community, Council will continue to work towards improving the appearance of public spaces and buildings in the following ways:

.1 to enhance the visual appearance of municipal properties;

.2 maintain municipal buildings and facilities in an attractive and sound condition;

.3 encouraging a high standard of design for public buildings that is compatible with the single family residential character of the community.

Policy 7 - Visual Impact of New Roadways and Utilities

In considering the design and location of new roads and utilities, Council shall ensure that due regard is given to the visual and environmental impact of these types of features.

3.2 POLICIES PERTAINING TO THE RESIDENTIAL AND COMMERCIAL LAND USE DESIGNATIONS

3.2.1 Residential Land Use

Reflecting the community's suburban character, most of the area of the Village is either developed for housing or intended for residential use. Single family detached dwellings are the predominate housing form, accounting for about 96 percent of the Village's housing stock as recorded by the 1991 census. With most of the developable land within the Village currently utilized for housing, attention has focused on the potential development of several vacant areas for future residential use. Given recent housing construction trends in Montrose, it is apparent that these development areas could provide sufficient building sites to accommodate anticipated housing demand in the short to medium term (i.e. within the next five to ten years). A primary purpose of the updated community plan is to provide direction and guidance for the development of these areas.

Council has formulated the following policies to deal with future residential development as well as other issues related to housing:

Policy 1 - Residential Land Use

Lands designated for residential use, as indicated on Schedule B - Land Use Map, are considered adequate to meet housing development needs in the near future. Two specific residential land use designations are set out: single family dwelling and multiple unit residential. In the area designated for single family dwellings, this housing type will be the principal use, though Council may permit the development of other forms of housing that comply with the

.3 home occupations.

Policy 3 - Home Occupations

Home occupations will be permitted in residential areas provided they:

.1 will not have any negative impact on the use or enjoyment of neighbouring properties;

.2 are generally carried out only within the dwelling unit or a permitted accessory building, and present no external evidence of the home occupation except for a small sign;

.3 do not involve the storage for sale of goods not been produced as a part of the home occupation; and

.4 comply with specific requirements for home occupations in the Zoning Bylaw.

Policy 3.1 - Bed and Breakfast Operations

Council will consider allowing Bed and Breakfast operations in the R1 (Residential One) Zone subject to consideration of the following criteria:

a. a scale of operation that is appropriate to the surrounding land uses and building sizes, (facilities with more than 3 accommodation units or which are designed to accommodate more than 6 guests will not be permitted);

b. the provision of one on-site parking space per accommodation unit and adequate vehicular circulation;

c. occupancy of the principle dwelling by the owner; and

d. no significant nuisances or impacts of the operation on the use and enjoyment of neighbouring properties.

Policy 4 - Non-conforming Uses

Pursuant to Section 970 of the *Municipal Act*, existing non-conforming uses in residential areas shall not be permitted to expand and, if removed or destroyed, shall not be allowed to re-establish on the original site.

Policy 5 - Residential Parcel Sizes

To ensure that new housing development is compatible with the density and scale of existing residential areas, Council has established the following lot size requirements for various housing types:

Housing Type		Minimum Parcel Size
.1	Single family and detached dwellings	560 m^2
.2	Multiple unit residential	280 m^2 per dwelling unit.

Policy 6 - Minimum Parcel Sizes in Steeper Areas

Notwithstanding the minimum parcel size requirement stipulated in Policy 5.1, larger parcel sizes may be required in areas of steeper topography to allow sufficient space for the siting of a dwelling, on-site parking and for driveway access.

Policy 7 - Manufactured Home Residential

To preserve the character and aesthetics of existing residential neighbourhoods, new single wide manufactured homes generally will not be permitted in Montrose. Council will, however, consider the siting of double wide manufactured homes and modular dwellings when it can be demonstrated that the appearance and design of the proposed building will be compatible with surrounding conventional dwellings.

Policy 8 - Locational Criteria for Multiple Unit Housing

To provide the opportunity for a range of dwelling types to be made available within the community, Council will consider proposals to develop multiple unit housing on sites suited for the proposed use. Multiple unit housing would include duplex and four-plex, townhouse, apartment and seniors housing development. These types of housing may proceed subject to rezoning approval and a review of the proposal based on the following locational criteria:

.1 on a parcel where the proposed development will be compatible in character and scale with adjoining uses;

.2 where separation can be achieved through adequate setback distances and buffers from existing or planned lower density housing;

.3 near park, commercial activities or public and institutional facilities and services;

.4 on sites that afford direct and convenient vehicle access so as to avoid generating excessive traffic on local streets;

.5 availability of community infrastructure;

.6 on a parcel that, due to site constraints, may be prohibitively expensive to develop for lower density housing.

Policy 9 - Multiple Unit Residential Development Permit Area Designation

It is the policy of Council that all parcels proposed for multiple unit residential use shall be designated as a Development Permit Area on Schedule C - Development Permit Areas Map. Guidelines for the Multiple Unit Residential Development Permit Area are set out in Section 4.0 of this plan. These guidelines address such matters as landscaping, screening, parking and building siting, form and appearance and are intended to ensure that multiple unit housing is developed in a manner that is compatible with the existing scale and character of the community.

Policy 10 - Lower Density Residential Recognized as a Conforming Use at the Highway 3B Cut-off

Within the area designated Multiple Unit Residential located on the north side of Highway 3B and west of the 2nd Street intersection, all existing single and two family dwelling shall be recognized as permitted uses in the implementing zoning bylaw.

Policy 11 - Future Residential Development Areas

Two future residential development areas exist within the Village: the approximately 4.45 ha to the north of the Highway 3B cut-off and an extensive area in the northeast corner of the municipality. With respect to these areas, it is the policy of Council to require the preparation of comprehensive development plans prior to considering rezoning and subdivision proposals affecting all or parts of these lands. The preparation of these development plans shall be guided in part by the subdivision and servicing concepts contained in the Background Report prepared for Official Community Plan Bylaw 401, 1989. The on-site and off-site servicing requirements for these development areas are outlined in Section 3.5. Additionally, due to the

steep topography of these sites and the potential rockfall hazard in parts of these areas, these lands have been designated as Development Permit Areas as set out in Policy 2 of Section 3.7.

Policy 12 - Development Area Plans

The development area plans required under Policy 11 shall address development type and lot layouts, road access, alignment and grades, site drainage and the provision of services and public open space. These development area plans may be submitted separately and upon approval by resolution, Council may proceed to rezone and permit the subdivision of the affected area in whole or in part and in phases, in accordance with the approved plans.

Policy 13 - Rental Housing

It is the policy of Council to support the continued existence of rental housing in the community, in both single family and multiple family residential areas.

Policy 14 - Special Needs Housing

The development of seniors housing will be encouraged as a form of special needs housing.

Policy 15 - In-law Suites and Garden Flats

It is the policy of Council to permit self-contained in-law suites and small-scale garden flats as forms of affordable, special needs and rental housing, subject to the following criteria:

.1 one in-law suite or one garden flat, but not both, per single family dwelling;

.2 occupancy of the principle dwelling by the owner;

.3 occupancy of the suite or flat only by persons related to the owner of the principle dwelling;

.4 signing of a housing agreement with the Village to confirm the familial relationship between the owner of the principal dwelling and the occupants of the suite or flat.

.5 provision of one on-site parking space for the occupants of the suite or flat;

.6 compliance with Building Code standards;

.7 garden flat designed in accordance with the height and setback requirements for accessory buildings.

3.2.2 Commercial Land Use

Residents of Montrose enjoy easy and direct access to a full range of commercial services available in the City of Trail. For this reason, there has been little demand for development of retail outlets and services within the Village other than a limited range of commercial activities that cater to local/convenience needs. The businesses that have been established are generally concentrated in the area around the intersection of 5th Street and the highway.

The following are Council's policies with respect to commercial land use and development:

Policy 1 - Commercial Land Use Designation

Commercial uses shall only be permitted within the area so designated on Schedule B - Land Use Map. Under expected community growth conditions, it is anticipated that the area allocated for commercial use will be adequate to meet local retail and service needs.

Policy 2 - Appropriate Commercial Land Use Types

In recognition of the local consumer market vis-à-vis the Trail area retail sector and the existing scale and character of the community, the following types of uses are considered appropriate in the commercially designated area:

- smaller-scale local and highway oriented retail and service outlets;
- business and professional offices;
- automobile service stations
- banks and financial institutions;
- government facilities; and
- other similar local-serving commercial activities which are of a convenience nature.

Policy 3 - Residential Use in the Commercial Designation

To more efficiently utilize the community's land base and provide for a broader choice of housing, it is Council's policy to permit residential units in the form of apartments above commercial space in the commercial core. Parcels designated for commercial use but currently utilized exclusively for single family dwellings will be encouraged to be re-developed commercially should the demand for additional commercial space arise.

Policy 4 - Provision of Adequate Off-street Parking

On sites proposed for commercial development, Council shall require adequate off-street parking and loading facilities and will encourage the provision of controlled and, wherever possible, mutual access points.

Policy 5 - Commercial Core as a Development Permit Area

To ensure that future commercial development in the core area is compatible with the Village's scale and character, Council has designated this area as a Development Permit Area. The designated area is shown on Schedule C - Development Permit Areas Map, and the objectives and guidelines for the Commercial Core are set out in Section 4.0 of this plan.

3.3 INSTITUTIONAL AND PUBLIC SERVICES

Policy 1 -Institutional and Public Services - Land Use Designation

Existing institutional and public service facilities are designated as such on Schedule B - Land Use Map. Additionally, pursuant to the *Municipal Act*, the location of all public facilities are identified on Schedule D - Municipal Services, Major Road Network, Public Facilities, Parks and Open Space Map.

Policy 2 - Range of Uses to be Accommodated

The Institutional and Public Service land use designation is intended to accommodate public or private institutions, buildings or facilities required to provide community, government, medical, educational and similar services.

Policy 3 - Future Institutional and Public Service Facilities

In preference to identifying new locations for institutional uses and public services, Council shall encourage the more efficient use of existing facilities and sites. Council shall, for example, encourage the use of the public school for other community functions when feasible (e.g. recreation, meeting space, day care services). When new institutional or public service facilities

are proposed, Council shall encourage this type of development to locate in the general core area of the community.

Policy 4 - Access to Public Facilities

Council supports and promotes the practice of improving physical access to, and utilization of, public facilities by children, the elderly and the handicapped.

Policy 5 - Support of the Existing Post Office

Recognizing the convenience to residents and institutions of having a post office in the community, Council strongly supports the continued operation of a post office in Montrose.

3.4 PARKS, OPEN SPACE AND RECREATIONAL FACILITIES

Within Montrose, several neighbourhood parks and a larger community park area have been developed. Recently acquired public land in the vicinity of the sewage treatment facility and Beaver Creek also has potential for improvement as recreational open space. If new residential development occurs, it is Council's objective to secure additional parkland and work towards creating a connecting public walkway system. In terms of recreation, the community is fairly well served by recreational facilities. Council's policies for maintaining and providing parks, open space and recreational facilities are as follows.

Policy 1 - Map Designation

Existing parks, open space areas and recreational facilities are designated as such on Schedule B - Land Use Map. In addition, pursuant to the *Municipal Act*, the location of all public parks and recreational facilities are indicated on Schedule D.

Policy 2 - Maintaining Existing Parks and Recreational Facilities

It is the policy of Council to maintain and upgrade existing public parks and recreational facilities to ensure that the recreation needs of community residents are met. Council will support naturalization of appropriate portions of existing parklands and stream or ravine corridors. Naturalization means restoring select areas with native vegetation, which can create more biodiversity, wildlife habitat and environmental learning opportunities. Naturalization also helps reduce pesticide and herbicide use, soil erosion, water consumption and maintenance requirements.

Policy 3 - Support for Regional Recreation Programs

Council shall continue to support the regionalized recreation program and facilities development that are deemed to be of benefit to Montrose residents.

Policy 4 - Joint Use of Recreational Facilities

It is the policy of Council to work closely with School District No. 20 to arrange for the joint use and programming of the Montrose elementary school and its grounds as a means of supplementing the recreational facilities provided by the municipality.

Policy 5 - Future Parkland Development

Should new residential development occur and the recreation needs of the community increase, it is Council's policy to acquire and develop additional parkland as municipal finances permit. Longer term park development goals include the following.

.1 The refinement and creation of a connected system of public open space integrating the community trail system, parkland, and the potential park and trail areas in the vicinity of the sewage treatment facility and Beaver Creek, as genenerally shown on Schedule D;

.2 The use of the publicly owned portions of the hillside above 12th Avenue as open space.

.3 Public land in the vicinity of the sewage treatment facility and Beaver Creek that is not needed for Village servicing uses (e.g. potential composting, sludge storage, public works yard, etc.) may be used for the purposes of passive recreation and environmental protection. Land improvements may include trail development, picnic areas, tree planting, and any other forms of enhancement compatible with the land's primary infiltration function for the sewage treatment plant.

Policy 6 - Provision of Parkland at Time of Subdivision

In the case of residential subdivisions where three or more lots are created and the smallest lot created is less than 2 ha in size, the policies of Council with respect to the provision of public parkland are as follows.

.1 For proposed subdivisions in the area covered by the development concept plans contained in the Background Report prepared for Official Community Plan Bylaw 401, 1989, Council may require the dedication of not more than 5 percent of the parcel area for park use. This parkland dedication should conform with the proposed public park and walkway system illustrated on Schedule D.

.2 In areas where the dedication of scattered public parks may be impractical or where a suitable site is not available within the proposed subdivision, Council may require payment of an amount not exceeding 5 percent of the market value of the property proposed for subdivision for the purpose of acquiring parkland to complete the park and trail network system generally indicated on Schedule D.

3.5 COMMUNITY SERVICES AND INFRASTRUCTURE POLICIES

Policy 1 - Municipal Infrastructure Systems

It is the policy of Council to maintain and monitor the capacity of municipal infrastructure systems and carry out upgrading or extensions to these systems in accordance with future demand as municipal finance permits. The general location of major existing infrastructure services, including roads, community water and sanitary sewer systems, is identified on Schedule D.

Policy 2 - Extensions to Municipal Service Systems

Major extensions to municipal service systems shall only be approved on the basis of an overall plan of development for the proposed development area. The subdivision and servicing concept plans contained in the Background Report prepared for Official Community Plan Bylaw 401, 1989 are intended to guide in the preparation of a development area plan. The plan of development shall be prepared by the proponent and Council shall require compliance with that plan as a condition of extending services to the subject area.

Policy 3 - Municipal Infrastructure Capacity

Council shall not permit development to occur where it will exceed the capacity of municipal service and utility systems, except where the developer agrees to assume the costs of upgrading community infrastructure to accommodate the additional demand created by the development.

Policy 4 - New Development Adjoining Serviced Areas

To minimize the length of servicing extensions, Council shall encourage the development of sites adjacent to existing serviced areas.

Policy 5 - Financing Municipal Servicing Extensions

Where municipal infrastructure extensions are required to serve new development areas, it is Council's intention to enter into an arrangement for equitably sharing the costs of upgrading or extending municipal services. To provide for the extension of services, Council will require that the developer and property owners in the benefiting area contribute towards the costs of extending or upgrading infrastructure systems. Council shall review the Village's Development Cost Charge Bylaw as a mechanism for recovering the costs of infrastructure extensions and upgrading.

Policy 6 - Infrastructure Extensions Beyond Municipal Boundaries

Council may consider extending municipal services beyond the Village's present boundaries provided that the proposed development area is incorporated within the municipality subject to the criteria outlined in Policy 3 of Section 3.6.

Policy 7 - Servicing Standards for New Development Areas

Given the attractive residential character of Montrose and the generally high quality of existing development found in the community, Council will require a standard of servicing for new residential subdivisions that includes:

.1 connection to municipal water and sewer systems;

.2 underground electric power, telephone and other utilities;

.3 road rights-of-way of 15-20 m width with a pavement surface of 7.5-8 m width;

.4 curb and gutter;

.5 ornamental street lighting;

.6 a storm drainage system capable of accommodating runoff from both roads and individual parcels;

.7 provision of public open space to be utilized for small neighbourhood parks, public walkways and for snow disposal.

Policy 8 - Cooperation with the Beaver Falls Water District

Council shall investigate methods of upgrading water services in cooperation with the Beaver Falls Water District where joint action would be in the interest of both parties.

Policy 9 - Support for Regional Services

Council shall continue to participate in and support the provision of regional services which are of benefit to the Village. These services presently include recreation, planning, economic development, animal control, refuse disposal, intermediate care facilities, bus services, fire protection, libraries, weed control, cemeteries and the airport.

Policy 10 - Highway 3B as an Arterial Route

Highway 3B has been designated as an arterial route as part of the community's Major Road Network Plan illustrated on Schedule D. The main function of an arterial route is for mobility, catering primarily to inter-regional traffic. Right-of-way protection for this arterial route shall be approximately 30 m.

Policy 11 - Improved Highway Safety and Traffic Flows

While it is Council's policy to work with the Ministry of Transportation and Highway to ensure that Highway 3B is a safe and efficient route, Council will continue to support its status as a two-lane road only. Possible improvements aimed at maintaining smooth traffic flows and enhancing highway safety that may be considered include:

1. the introduction of a service/frontage road along the north side of the highway, particularly in the commercial core area, that includes adequate space for snow storage;

.2 a pedestrian controlled traffic light at a central crosswalk;

.3 encouraging stricter enforcement of highway speed regulations;

.4 placement of signs at community entry points advising motorists of pedestrian crossings and requesting reduced speeds and greater attention to safety.

Policy 12 - Highway Access

Council will generally discourage direct highway access. Where direct access cannot be avoided, the use of common entrances shall be encouraged.

Policy 13 - Major Highway Intersections

The intersections of 3rd, 6th and 7th Streets with Highway 3B have been identified as major intersections on the Major Road Network Plan. It is Council's policy to work in conjunction with the Ministry of Transportation and Highways to ensure that these intersections continue to function safely and efficiently.

Policy 14 - Major Road Network Plan

Council shall cooperate with the Ministry of Transportation and Highways and other local governments in the area of implementing the community's Major Road Network Plan set out on Schedule D.

Policy 15 - Local Roads

With the exception of 12th Avenue and 6th Street, all other streets in the Village have been designated as Local Roads. The minimum right-of-way width for Local Roads shall be 20 m, although a 15 m width may be considered for cul-de-sacs or minor local streets that serve a limited area.

Policy 16 - Major Collector Roads

Twelfth Avenue and that portion of 6th Street north of the highway have been designated as Major Collector Roads on the Major Road Network Plan. The main function of these collector roads is to accommodate inter-municipal traffic flows as well as to provide vehicle access to the fringe area north of the Village. For these collector roads, access points in the form of driveways shall be minimized wherever possible and a minimum right-of-way width of 20 m shall be maintained.

Policy 17 - Longer Term Upgrading of 12th Avenue

Recognizing that both pedestrian and vehicle traffic volumes on 12th Avenue will likely increase in the future, it is Council's policy to upgrade this roadway in the longer term in the following manner:

.1 examine alternatives other than sidewalks for achieving a safe separation between pedestrian and vehicle traffic.

.2 at that time that development occurs on the larger parcels at the north end of 12th Avenue, to require the construction of curb and gutter to channel storm water flows;

.3 consider installing a storm drainage system to connect with the existing culvert on the north side of 12th Avenue.

Policy 18 - Regional Bus Service

Council shall continue to support the operation of a public bus service as a Regional District function.

Policy 19 - Bus Routes within the Village

Existing bus routes through the Village will be occasionally reviewed by Council for the purpose of achieving a reasonable balance between operating efficiency, costs, level of service and localized impacts on land use. Where required, recommendations will be made to the Transit Authority.

Policy 20 - 9th Avenue Bus Route

Council supports the continued use of 9th Avenue as a bus route. However, the traffic volume and impacts of this service will be closely monitored to determine if roadway upgrading is required.

Policy 21 - Highway 3B Widening

Council encourages the Ministry of Transportation and Highways to widen Highway 3B (10th Avenue) by paving the shoulder for improved bicycle and pedestrian mobility. A bicycle logo may be painted on the paved shoulder as a means of designating its use.

Policy 22 - Trail Network Development

It is a policy of Council to continue to assess appropriate routes and roadways for a bicycle and pedestrian trail network that will link the school, commercial area, park lands and residential areas. The community trail concept shown on Schedule D may be further refined as necessary. Council will consider establishing a community partnership program to supplement municipal funding with public contributions and volunteer involvement in trail construction and maintenance.

Policy 23 - Sand and Gravel Resources

Without precluding the future development of currently unknown sand and gravel resources, it is recognized that there are no known sand and gravel deposits within Montrose that are suitable for sand and gravel extraction.

3.6 POLICIES WITH RESPECT TO THE UNINCORPORATED FRINGE AREA

Development in the unincorporated fringe area bordering Montrose is likely to continue. Although the land use and servicing decisions that facilitate fringe area development are beyond Council's jurisdiction, the Village can provide input to this decision making process through the Regional District. Proposals for more intensive development of lands adjoining the Village or requests for extensions of municipal services may be considered within the framework of a municipal boundary restructure.

Policy 1 - Fringe Area Land Use

Council supports the continued development of rural residential use in the fringe area. It is recognized that transitional lands adjacent to the Village need to be managed accordingly, and Council supports the efforts of the Regional District in pursuing this objective.

Policy 2 - Small Lot Development

Council does not favour the creation of small, partially serviced parcels in close proximity to the Village except in cases where unique conditions prevail and the municipality has been consulted in this regard.

Policy 3 - Municipal Boundary Extension

Development proposals involving greater than existing residential densities in the fringe area immediately adjacent to the Village, or requests for extensions of or connection to municipal services, will be considered by Council, but shall be addressed within the context of a municipal boundary extension. A proposal to develop lands bordering the Village to a higher residential density or a more intensive land use or a request for servicing extensions will necessitate a municipal boundary extension, and will be evaluated based on the following criteria:

.1 suitability of the site for the proposed use;

.2 identification and assessment of any site contrasts or potential hazards affecting the development of the parcel, along with proposed mitigation measures;

.3 the proposed method and standard of servicing for the development site;

.4 impact on municipal infrastructure and capability of existing systems to service the site;

.5 extent of ongoing municipal maintenance requirements;

.5 impact on existing and potential land uses within the Village;

.7 the financial impact on the municipality of providing services in relation to additional anticipated property tax revenue.

If the proposed development or request for connection to municipal services has merit, Council shall seek the cooperation of the Regional District and the Province in extending the Village's boundaries.

Policy 4 - Plan Amendment for Annexation Areas

When land is annexed to the Village, Council shall immediately undertake to formulate appropriate Official Community Plan policies for the subject area. Until such specific policies and their implementing bylaws come into force, Council shall not encourage further development of the annexed lands.

3.7 POLICIES CONCERNING ENVIRONMENTALLY SENSITIVE AND POTENTIAL HAZARD AREAS

4.1 DEVELOPMENT PERMIT AREA DESIGNATIONS

Pursuant to the *Municipal Act*, it is the policy of Council to designate certain areas of the Village as Development Permit Areas for the:

.1 protection of development from hazardous conditions;

.2 establishment of objectives and provision of guidelines for the form and character of commercial and multi-family residential development; and

.3 protection of the natural environment.

4.2 REQUIREMENT OF DEVELOPMENT PERMITS IN DEVELOPMENT PERMIT AREAS

Pursuant to Sections 945(4) and (4.1) of the *Municipal Act*, it is the policy of Council that no development shall be permitted within the designated Development Permit Areas unless the owner first obtains a Development Permit from the Village. Council, however, may waive the requirement for a Development Permit where minor alterations or additions to an existing building, structure or land use are proposed. Minor alterations or additions are defined as changes to an existing building, structure or land use that are compatible with the scale, form and character of surrounding development, and do not create hazardous conditions or environmental impacts. "Changes to land use" means the alteration of land, including any excavation, deposit or removal or soil and fill, and removal or cutting down of trees or other vegetation. In order to waive the Development Permit requirement, sketch plans or drawings submitted with a Building Permit application that illustrate the proposed external alterations or additions shall be provided for review by the Village.

4.3 STEEP SLOPE DEVELOPMENT PERMIT AREA

4.3.1 Designation

The potential development areas identified in Policy 2 of Section 3.7 are designated as Development Permit Areas. The location and extent of these areas are indicated on Schedule C - Development Permit Areas Map.

4.3.2 Category

The steep slope development permit area is designated under Section 945(4)(b) of the *Municipal Act* (protection of development from hazardous conditions).

4.3.3 Justification

A number of constraints for development of these areas are known to exist:

.1 steep topography, with slopes generally exceeding 20 percent;

.2 ground water flows;

.3 areas of exposed bedrock;

.4 potential rock fall hazard from uphill cliffs.

The purpose of this development permit designation is to ensure that these site constraints and potential hazards are adequately addressed in the development planning and design process.

The guidelines outlined below are intended to safeguard development on those sites as well as protect down slope properties and structures from possible disturbances caused by construction above (e.g. diversion or concentration of ground water flows).

4.3.4 Guidelines

Development permits issued in these areas shall take into account the following guidelines:

.1 For proposed development on or near steep hillsides, the Village may require that buildings and structures be set back a distance specified in the Development Permit from the top of the steep hillside or the toe of the slope.

.2 For proposed development in areas where the Village considers that the land is, or may be, subject to erosion, land slip, rock falls or subsidence, the Village may require that the Development Permit include a report certified by a professional engineer with experience in geotechnical engineering that the land may be used safely for the use intended. Where the engineer's report determines that the land may be used safely subject to conditions set out in the report, those conditions shall be set out in the Development Permit, and upon completion of the building or structure, the owner shall provide the Village with a statement certified by a professional engineer that the construction was carried out in compliance with the conditions specified in the Development Permit.

.3 For proposed development on hillside areas, guidelines regarding planting or retaining vegetation and trees, as specified by the Minister of Environment and Parks, may be included in the Development Permit to protect to the greatest extent possible the natural vegetation on the site. For disturbed portions of the site, the Development Permit may include measures for rehabilitation, including landscaping, retaining walls or other suitable methods.

.4 A Development Permit may require provision of a Master Drainage Plan and drainage system aimed at prevention of erosion, protection of natural watercourses, and protection of properties below the lands being developed. Specific methods for groundwater control in the potential development areas are recommended in the geotechnical study accompanying the Background Report prepared for Official Community Plan Bylaw 401, 1989.

.5 A site grading plan must be provided with a Development Permit application.

.6 Structures, works, maintenance or other activities related to public utilities such as storm drainage pipes, and water and sewer lines, are permitted in Steep Slope Development Permit Areas, and a Development Permit will not be required.

Development on Slopes with Grades Between 20% and 30%

.7 When building on 20% to 30% slopes, the following guidelines and mitigation measures should be adhered to.

- Changes to existing terrain should be limited by minimizing areas of grading, impacts of service and utility installations, avoiding unstable slopes and incorporating natural slopes in lot design.

- Site preparation should not occur within the drip line area of trees, so as to protect their roots.

- Hillside roads may be designed and constructed to an alternative standard to be approved by the Village, should follow existing contours, and lanes may be split where appropriate.

- Driveways may be grouped to minimize site disturbance, grading and paving. Underground parking designs are recommended if appropriate.

- Slopes should be landscaped by using erosion control, planting and soil stabilization techniques. Retaining walls should be broken into smaller components with screening and terraces.

- The development should retain as many of the indigenous hillside trees, vegetation and land forms on the site as possible.

- A transitional area should be maintained between the native flammable brush and building landscaping in high fire hazard areas. The transition zone may be created by selective pruning and thinning of indigenous plants and revegetation with low fuel volume species.

- Buildings should be clustered or staggered to add architectural and landscape interest, protect the integrity of an existing natural slope, and to maximize the area of site left in a natural state.

- Structures should be stepped with the terrain to reduce the height of facades.

- Porches, verandahs, courtyards, overhangs, recesses, gardens, and the play of light and shadows should be used to reduce mass and add interest.

- Roof forms and roof lines should be broken and pitched to follow the slope.

- Building materials should reflect the natural character of the area and colours should be in earth tones, complementing the hillside environment. Reflective windows and materials should be avoided.

- Impervious surfaces should be minimized to aid in storm water infiltration.

- Storm water may be collected in reinforced natural swales or new drainage channels made with natural materials, and then conveyed to a stormwater pond or site drainage system of sufficient capacity.

Development on Slopes with Grades in Excess of 30%

.8 Areas of land having a natural slope with grades in excess of 30% should remain free of development and in their natural condition, with natural vegetation retained or planted to help stabilize the slope. A “no-build, no-disturb” restrictive covenant shall be required as a condition of Development Permit approval.

.9 The actual delineated area of gifted and covenanted conservation areas must be confirmed in the field and in plan form by the landowner and the Village prior to subdivision approval.

.10 A vegetative buffer along the top of the slope, as may be required by the Ministry of Environment, Lands and Parks, is to be provided.

.11 No structures will be permitted in areas subject to rock fall, sloughing or other hazards at the base of the slope.

.12 No septic disposal system, irrigation system or other land use involving significant groundwater discharge will be permitted in an area where such development may exacerbate the hazardous conditions of the steep slope.

4.4 CORE COMMERCIAL DEVELOPMENT PERMIT AREA

4.4.1 Designation

The core commercial area as delineated on Schedule B - Land Use Map, except for Lot 8, Block 8, Plan 2352, PID #008-548-447, is designated as a Development Permit Area.

4.4.2 Category

The core commercial development permit area is designated under Section 945(4(e) of the *Municipal Act* (form and character of commercial development).

4.4.3 Justification

Montrose is a predominately residential community with a limited commercial core in the general vicinity of Highway 3B and 5th Street. This commercial area primarily serves local needs and is capable of accommodating additional development. Council wishes to promote commercial development in a manner which is compatible with Montrose's established "contemporary village" character.

Principal features of this special character include the predominance of modern, well maintained buildings, an abundance of landscaped open space, low building profiles and a high level of servicing efficiency. The objective of this development permit designation is to provide guidance for commercial development to ensure that it complements the Village's existing character.

4.4.4 Guidelines

Development permits issued in this area shall take into account the following guidelines:

.1 The character and development created by the siting and form of buildings and structures should be compatible with Montrose"s "village" setting and its high quality building and landscaping designs.

.2 Buildings should not exceed three storeys in height except for minor architectural features added to provide interest to the building.

.3 Monolithic structures and long expanses of straight, plain walls should be avoided.

.4 Large buildings should be designed in a way that creates the impression of smaller units and less bulk, by using building jogs and irregular faces.

.5 Roof lines and architectural features should be sufficiently varied with peaks, gables, cornices and other forms that help avoid long horizontal lines and uninterrupted planes.

.6 Buildings should have exterior finishes that are made of, or appear to be made of, stucco, brick, stone, textured blocks, natural stained or painted wood, or a combination of these. In general, non-textured concrete block or concrete panel walls should not be visible.

.7 Large parking areas should be broken into smaller groups, divided by landscaping.

.8 Sites should be provided with supplementary screening in the form of walls, fencing, hedging, planting, other screening materials or a combination of materials:
   (a) around outdoor storage areas and waste containers, heating and cooling equipment, loading bays and other service areas; and
   (b) between commercial uses and residential uses.

.9 Sites should be provided with landscaping in the following areas:
   (a) along the property edge next to the roadways;
   (b) between parking areas and roadways;
   (c) between buildings and parking areas; and
   (d) along the sides of buildings.

.10 Landscaping comprised of species indigenous to the Kootenay Boundary region, or other species that require little irrigation, is encouraged.

.3 Large buildings should be designed in a way that creates the impression of smaller units and less bulk, by encouraging facade relief and modulation, and variety between facade sections.

.4 Roof lines and architectural features should be sufficiently varied with peaks, gables, cornices and other forms that help avoid long horizontal lines and uninterrupted planes.

.5 Buildings should have exterior finishes that are made of, or appear to be made of, stucco, brick, stone, textured blocks, natural strained or painted wood, or a combination of these. Non-textured concrete blocks or concrete panel walls should not be visible.

.6 Large parking areas should be broken into smaller groups, divided by landscaping.

.7 Safe and efficient vehicle entrances and exits, and on-site circulation should be provided.

.8 All parking areas, private roadways and driveways shall be paved.

.9 Vehicle access to the site should minimize the need for extending public roads and the number of intersections with Highway 3B. It is anticipated that on-site circulation will be via private roadways; these roads should be designed and located to minimize grades and to ensure adequate sight lines and vision clearances.

.10 Sites should be provided with supplementary screening in the form of walls, fencing, hedging, planting, other screening materials, or a combination of materials in the following areas:
(a) around outdoor storage areas and waste containers, heating and cooling equipment, and other service areas; and
(b) between parking areas and the street.

.11 Sites should be provided with landscaping in the following areas:
(a) along the property edge next to roadways;
(b) between buildings and parking areas;
(c) along on-site access roads;
(d) along the sides of buildings; and
(e) in other open space areas not required for parking, access roads or walkways.

.12 Landscaping comprised of species indigenous to the Kootenay Boundary region, or other species that require little irrigation, is encouraged.

.13 Site design of the proposed development should reflect the requirement for the landowner to provide services such as road maintenance, snow removal, refuse collection, streetlighting, etc. on private property, particularly where the project contains residential clusters set well back from the highway.

SECTION 5.0 - IMPLEMENTATION

Summarized briefly in this section are several of the implementing tools available to Council to carry out the policies of the Official Community Plan.

5.1 ZONING, SUBDIVISION CONTROL AND MINIMUM MAINTENANCE AND OCCUPANCY STANDARDS BYLAWS

The Village of Montrose has in place bylaws regulating zoning, the subdivision of lands, and standards for property maintenance and occupancy. Following adoption of this Official Community Plan, it is Council's intention to review those regulatory bylaws and amend them as necessary to ensure that:

- those bylaws are consistent with the direction and policies of this plan;
- the regulations and provisions of those bylaws are consistent with recent amendments to the *Municipal Act*;
- those bylaws are streamlined and simplified for convenient use by Council, Village staff and the public.

5.2 DEVELOPMENT PERMITS

Development permits pertain to specific areas as identified in Section 4.0 of this Plan, and enable Council to establish guidelines and requirements for development over and above those set out in the Village's zoning and subdivision bylaws. These additional development guidelines are deemed to be necessary due to the unique locational characteristics or the special conditions that exist in these areas. A development permit must be obtained by the property owner prior to the issuance of a building permit or the subdivision of land, though this requirement may be waived in the case of a minor development as provided in Section 4.2 of this Plan.

5.3 CAPITAL EXPENDITURE PROGRAM

The policies of the Official Community Plan provide Council with a basis for formulating a five year capital budget. In doing so, Council shall identify and priorize major capital works set out in this plan, determine methods of financing these works, and seek revenue sharing assistance from the Province where applicable. Council may also use this plan as a basis for establishing its annual budget and reviewing its taxation policies in order to better pursue its goals and objectives.

5.4 UPDATE OF THE OFFICIAL COMMUNITY PLAN

Under anticipated growth conditions, the new Official Community Plan should be effective in guiding growth and development in Montrose for a five year period (i.e. to 2002). Not later than 2002, this Plan should be comprehensively reviewed and updated to take into account current issues and reflect conditions at that time.

SECTION 6.0 - OFFICIAL COMMUNITY PLAN MAPS

6.1 Section 6.0 consists of the following Schedules:

- Schedule B - Land Use Map;
- Schedule C - Development Permit Areas Map; and
- Schedule D - Municipal Services, Major Road Network Plan, Public Facilities, Parks and Open Space Map.

6.2 The Official Community Plan maps contained in Section 6.0 shall only be used as reference guides to aid in the interpretation of the objectives and policies of the Official Community Plan and shall not be used as a regulatory tool.