



VILLAGE OF BELCARRA

"Between Forest and Sea"

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KELLY AVENUE REZONING APPLICATION PROCESS – FREQUENTLY ASKED QUESTIONS

ABOUT THE PROJECT

1. What is this rezoning for? What is being proposed?

Edward Prime has applied to the Village of Belcarra to rezone the property located at 3641 Kelly Avenue from RS-1 (One-Family Residential) to CD-1 (Comprehensive Development Zone). The site is zoned RS-1 which permits single-family residential use, and properties with an existing duplex built before 2019. In this case, a rezoning is required to develop the site with up to three duplex buildings (a total of six dwelling units), subject to Council approval.

2. What is this meeting for?

This Public Information Meeting (PIM) has been recommended by the Village and is being led by the applicant. The purpose of the meeting is to:

- Introduce the proposal to the community;
- Provide an opportunity for residents to ask questions; and
- Gather community feedback early in the process.

The Village's role at this meeting is to observe, monitor, and answer procedural questions. No decisions are being made at this stage.

APPLICATION PROCESSES

3. Is this development proposal consistent with the Official Community Plan (OCP)?

Yes. The proposed development is considered consistent with the objectives and intent of the Residential (R) land use designation in the Village's Official Community Plan.

The OCP supports increasing housing options, and notes that strata duplexes, triplexes, or fourplexes may be considered on RS-1 lots larger than 10,000 sq. ft. The subject site is approximately 18,678 sq. ft. In order to achieve the proposed form of development, lot consolidation would be required, and would be a condition of the rezoning application, subject to Council approval.

4. Does OCP compliance mean the project is approved?

No. While OCP consistency is an important consideration, it does not guarantee approval. Council must still review the rezoning application and consider a range of factors before making a decision.

5. Will there be a public hearing?

No. Under current provincial legislation, local governments are prohibited from holding a Public Hearing for rezoning applications that are consistent with the OCP.

However:

- The Village will issue a Public Notice as required under the *Local Government Act* if the rezoning proceeds through the approval process; and
- Feedback received through this applicant-led Public Information Meeting will be summarized and submitted to Council as part of the application materials.

6. How can the public provide input if there is no Public Hearing?

Community members may:

- Provide feedback directly to the applicant or Village during or after this meeting;
- Submit written comments to the Village during the application review process

COUNCIL CONSIDERATIONS

7. On what grounds can Council refuse a rezoning application?

While staff cannot speak on behalf of Council, Council may consider a range of factors when making a decision, including but not limited to:

- Consistency with Village bylaws and policies;
- Impacts related to traffic, access, and servicing;
- Environmental considerations; and
- Health, safety, and legal considerations.

Council retains full discretion to approve or refuse the application, even if it is OCP compliant; however, the provincial legislation establishes a high burden of proof for a refusal that is OCP compliant.

NEXT STEPS

8. What happens next?

If the applicant chooses to proceed:

1. Village staff will continue to review the application and provide comments;
2. The applicant may revise the proposal in response to staff and community feedback;
3. Once staff are satisfied that the application is ready, it will be referred to Council for First, Second, and Third Readings of the rezoning bylaw;
4. If the bylaw receives Third Reading, required legal agreements and conditions would be finalized; and
5. The rezoning bylaw would return to Council for Fourth Reading and adoption.

No construction can occur unless and until the rezoning is approved and all subsequent permits are obtained.

9. Can Council require changes to the proposal?

Yes. Council may request revisions or impose conditions as part of the rezoning process.

10. Who decides the final design details?

Council considers the rezoning bylaw, while detailed design elements are typically reviewed during subsequent development permit and building permit stages.

11. Will approving this rezoning set a precedent?

Each rezoning application is evaluated on its own merits, based on site-specific conditions, policies, and Council discretion.

12. What approvals are still required after rezoning?

If approved, the development would still require additional permits (e.g., development permit, building permit) before construction could begin.

13. How long does the rezoning process take?

Timelines vary depending on application complexity, revisions, and Council scheduling.

14. Who can I contact with further questions?

Residents are encouraged to contact Village staff for procedural questions, or the applicant directly for questions about the proposal.

Applicant Contact Information

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Village Contact Information

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