CITY OF PORT ALBERNI

PUBLIC HEARING AGENDA

Monday, January 14, 2019 at 6:30 pm in the City Hall Council Chambers

This Public Hearing is held pursuant to Sections 464, 465 and 466 of the *Local Government Act*.

Introductory Remarks by the Chair: The Chair of the Public Hearing will describe the Public Hearing procedures.

A1. Description of the Application (To be read by the Clerk)

The Public Hearing will proceed in two parts as follows:

Part A - Applicant: S. and D. Sattar, 3503 11th Avenue

Part B - Applicant: K. Buick dba District Development Corp, 4000 Burde Street - Anderson Hill

Part A - Applicant: S. and D. Sattar, 3503 11th Avenue

The applicant is applying to amend the Zoning Bylaw to rezone 3503 11th Avenue from 'R2 to 'R3 - Small Lot Single Family Residential in order to facilitate a subdivision application.

The proposed bylaw is:

"Zoning Bylaw Map Amendment No. 31 (3503 11th Avenue - Sattar), Bylaw No. 4978"

- A2. Background Information from the Development Services Technician report dated November 27, 2018.
- A3. Correspondence
- **A4.** Late Correspondence Regarding the Matter (To be read by the City Clerk)
- A5. Input from the Public regarding the Bylaw
- **A6.** Questions from Council: (Members of Council may ask questions, through the Chair, of the Consulting City Planner or of the members of the public who may have spoken.)

B1. Description of the Application (City Clerk)

<u>Part B - Applicant: K. Buick dba District Development Corp, 4000 Burde Street - Anderson Hill</u>

The applicant is applying to amend the Zoning Bylaw to facilitate Phase 2 of the Anderson Hill development at 4000 Burde Street to include a mix of higher density residential dwelling units.

The proposed bylaw is:

"Zoning Bylaw Map Amendment No. 30 (4000 Burde St - Anderson Hill), Bylaw No. 4977"

- B2. Background Information from the Development Services Technician report dated November 27, 2018.
- **B3.** Correspondence
- **B4.** Late Correspondence Regarding the Matter (To be read by the City Clerk)
- **B5.** Input from the Public regarding the Bylaw
- **B6.** Questions from Council: (Members of Council may ask questions, through the Chair, of the Consulting City Planner or of the members of the public who may have spoken.)

7. Calling for any Further Input: (To be asked three times by the Chair.)

Calling for any further input a first time:

Calling for any further input a second time:

Calling for any further input a third time:

8. Closing Remarks by the Chair:

After this Public Hearing has concluded, Council may, without further notice, give whatever effect Council believes proper to the representations made at this Hearing. In most cases, the Report of this Hearing will be presented to the next Regular Meeting of Council, where Council will decide whether or not to proceed with approving the application by way of passing further readings of the Bylaw.

Once this Public Hearing has terminated, members of Council may not, as a group or as individuals, receive any further oral or written presentations on this matter, including what might be perceived of as informal discussions immediately after the termination of this meeting. I ask all parties to comply with this.

It was moved and seconded:

That this Public Hearing terminate at _____ pm.



CITY OF PORT ALBERNI NOTICE OF PUBLIC HEARING

Pursuant to Sections 464, 465, and 466 of the Local Government Act, Notice is hereby given that a Public Hearing will be held in the Council Chambers at City Hall, 4850 Argyle Street, Port Alberni, BC on **Monday, January 14, 2019 at 6:30 pm** to hear representation about the following proposed bylaw:

A. "Zoning Bylaw Map Amendment No. 31 (3503 11th Avenue – Sattar), Bylaw No. 4978"

APPLICANT: S. Sattar and D. Sattar - The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision/lot line adjustment between the properties. The amendment being considered is as follows:

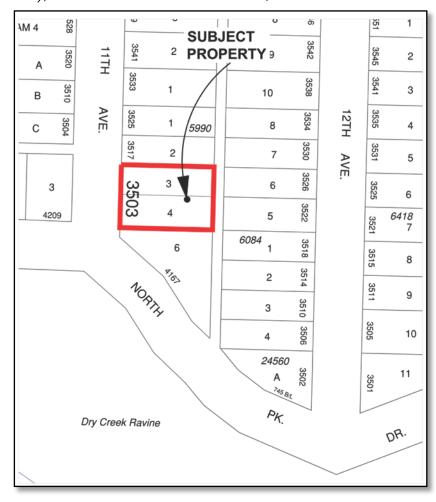
A. Zoning Bylaw Map Amendment:

1. Applying to amend the **Schedule A Zoning District Map** which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 by re-zoning *Lots 3 and 4, District Lot 1, Alberni District, Plan 5990 (PID: 005-934-923, 005-935-181)*, located at **3503 11th Avenue**, as shown outlined in

heavy line on the map below, from 'R2 - One and Two Family Residential' to 'R3 - Small Lot Single Family Residential'.

TAKE NOTICE THAT persons who deem their interest in property affected by the above noted bylaw amendment shall be afforded an opportunity to be heard before Council on matters related thereto. Written submissions should addressed to City Council, 4850 Argyle Street, Port Alberni, BC, V9Y 1V8. The above noted bylaw amendment, together with Port Alberni Zoning Bylaw 2014, No. 4832, may be inspected at the offices of the Planning Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from January 2, 2019 to January 14, 2019 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 2nd day of January, 2019. Joe Calenda, MCIP, RPP (Rtd.), DTM, City Planner





CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, CAO

FROM: Cara Foden, Development Services Technician

DATE: November 27, 2018

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment

3503 11th Avenue - Lots 3 and 4, District Lot 1, Alberni District, Plan 5990 (PID:

005-934-923, 005-935-181) Applicants: S. and D. Sattar

<u>Issue</u>

The purpose of this report is to consider an application for a map amendment to the Zoning Bylaw for the property at 3503 11th Avenue.

Background

An application has been made to amend the Zoning Bylaw to rezone 3503 11th Avenue from 'R2 – One and Two Family Residential' to 'R3 – Small Lot Single Family Residential' in order to facilitate a subdivision application (Lot line adjustment). The property is made up of two residential lots currently occupied by a single family dwelling located near the intersection of North Park Drive on the east side of 11th Avenue. The applicant is proposing a lot line adjustment between the two lots (subdivide) to remove an encroachment of the existing house onto one of the lots. The lot line adjustment would increase the size of the lot with the existing home and create a small, vacant residential lot for development.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation on **3503 11th Avenue**, Lots 3 and 4, District Lot 1, Alberni District, Plan 5990 (PID: 005-934-923, 005-935-181), is currently 'Residential' on the Official Community Plan Schedule A Land Use Map. The property does not lie within a Development Permit Area on the Schedule B Development Permit Areas Map. No amendments are required.
- b) The properties at **3503 11th Avenue**, *Lots 3 and 4, District Lot 1, Alberni District, Plan 5990 (PID: 005-934-923, 005-935-181)*, is currently zoned R2 One and Two Family Residential. A map amendment to the Zoning Bylaw Schedule A Zoning Map is required to designate the properties as **R3 Small Lot Single Family Residential**.

November 2, 2017 Page 2 of 8.

Discussion

Zoning:

The properties at 3503 11th Avenue have a total frontage along 11th Avenue that measures 25.9 metres (85.0 ft.) and a lot depth measuring 38.1 metres (125.0 ft.). The total area of the site is ±987 m² (10,625 ft²).

The R3 zone has a minimum frontage requirement of 10 metres (33 ft.) and a minimum lot area requirement of 350 m 2 (3,767 ft 2). With the total site area being ±987 m 2 (10,625 ft 2) it should be possible to subdivide the property to create one slightly larger lot to accommodate the existing residence and eliminate the side yard setback encroachment. In addition one smaller vacant lot would be created on the north portion of the site. Both lots would exceed the minimum lot size requirement of 350 m 2 in the R3 zone. The smaller of the two proposed lots would have frontage of ±10.2 m (±35 ft.) along 11th Avenue and a total area of ±388.6 m 2 (±4,183.2 ft 2). The maximum site coverage permitted in the R3 zone is 50% which is adequate to allow development on the smaller lot. See attached conceptual site plan.

Surrounding Area

The area is predominately single family residential use to the immediate, west north and south. Across 11th Avenue to the east there are three lots zoned R3. The larger block includes several multiple family residential parcels. Further to the south across North Park Drive is a large forested area containing portions of the City trail network through Dry Creek Ravine.

Infrastructure

The City water and sanitary and storm drain service mains are readily available and located as per the service card (see attached).

Water: Main runs along 11th Ave.

Sewer: Main runs along 11th Ave. There is a connection to Lot 4 (existing house)

Storm: Unavailable.

Utilities: There are private utilities in the area.

The detailed issues and costs regarding servicing requirements will be specified during the Subdivision process and included in a Preliminary Layout Approval letter to the applicant.

Referral Comments:

- 1. BC Hydro has single phase power along 11th Ave. The is no pole at the subdivided lot so the customer needs to have one installed or if the connection point on the house is less than 10 metres then a midspan tap may be permissible.
- 2. RCMP Interests Unaffected.

Status of the Application

At the November 15, 2018 meeting of the Advisory Planning Commission the following motions were carried:

- 1. That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A Zoning Map) to change the designation of Lots 3 and 4, District Lot 1, Alberni District, Plan 5990 (PID: 005-934-923, 005-935-181) located at 3503 11th Avenue from 'R2 One and Two Family Residential' to 'R3 Small Lot Single Family Residential'.
- 2. That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:
 - a. Receive a Preliminary Layout Approval letter for the proposed subdivision from the City of Port Alberni's Approving Officer.

At the November 26, 2018 regular meeting, City Council received and accepted the APC recommendations and gave 1st and 2nd reading to "Zoning Bylaw Map Amendment No. 31 (3503 11th Avenue – Sattar), Bylaw No. 4978".

Conclusions

In considering the Zoning amendment, City Council should consider whether the proposed amendment is appropriate for the site and for the community.

The R3 - Small Lot Single Family Residential zone allows for slightly greater density while maintaining a single family residential character. The proposed subdivision meets the strategic goal of a livable and sustainable community. The Official Community Plan is supportive of encouraging development within existing developed areas through infill and redevelopment. The proposed zoning and subdivision are compatible with the character of the neighbourhood and the Development Services Department supports the zoning amendment to the R3 zone.

Respectfully submitted,

Cara Foden, Development Services Technician

Reviewed by:

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM Consulting City Planner to the City of Port Alberni

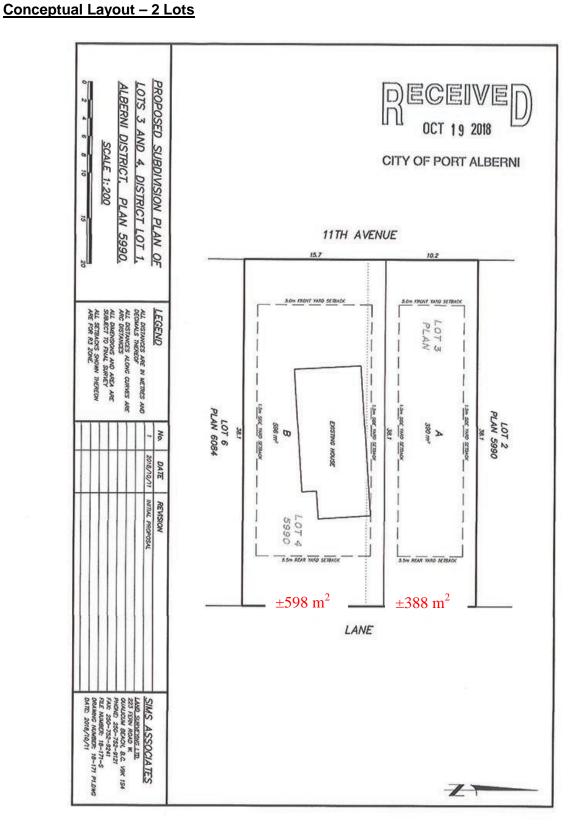
November 2, 2017 Page 4 of 8.

SUBJECT PROPERTY - 3503 11th Avenue



3503 11th Avenue

November 2, 2017 Page 5 of 8.



Bylaw 4832

R3 - SMALL LOT SINGLE FAMILY RESIDENTIAL

5.13 The purpose of this *zone* is to provide for greater density in areas of the city that are being redeveloped and where small *lots* already exist.

5.13.1 Permitted uses

Principal Uses	Accessory Uses
Single family dwelling	Home occupation

5.13.2 Site Development Regulations

Minimum Lot Area	350m^2	(3767 ft ²)
Minimum Frontage	10 m	(32.8 ft)
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	5 m	(16.4 ft)
Rear yard	5.5 m	(18.0 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.5	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	

5.13.3 Conditions of Use

Notwithstanding the provisions of 5.13.2,

- (a) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single family dwellings having no carport or attached garage and with no access to the rear or the side of the lot from a street or lane, the minimum side yard requirement shall be increased to 3 m (9.8 ft) for one side yard.
- (c) The minimum permitted *setback* from the vehicle entrance of a principal or *accessory building* to a highway other than a *lane* is 5.8 m (19 ft).

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HOUSE NO.		STREET	D,L.	BLK.	LOT
			STORM	WATER	SEWER
	LANE		INSTALLATION DATE	INSTALLATION DATE	UNKNOWN
			CONNECTION DATE	CONNECTION DATE	CONNECTION DATE
			SIZE	37.18	8125
0	1	1 100	LENGTH	DISTANCE FROM MAIN TO CURB STOP	LENGTH
0 1/1	+ 13	9 17	RISER	CORP. STOP	RISER
			FITTING AT MAIN	CURB STOP	FITTING AT MAIN
			BENDS	COUPLINGS	BENDS
40		/	PROPERTY LINE	REDUCER	DEPTH AT PROPERTY LINE
1,1		1	DISTANCE PROM M.H. TO FITTING ON MAIN		DISTANCE FROM M.H.
	12."	D	MEASURED	MEASURED	MEASURED
1/4/	1th AVE				AS SHOWN

•



 $\textbf{\textit{J:}} \textbf{Lengineering} \\ \textbf{\textit{Planning}} \\ \textbf{\textit{Development Applications}} \\ \textbf{\textit{ZoningAmend}} \\ \textbf{\textit{ZON-2018}} \\ \textbf{\textit{3503-11thAve-Sattar}} \\ \textbf{\textit{3503-11thAve-Sattar}} \\ \textbf{\textit{Applications}} \\ \textbf{\textit{ZoningAmend}} \\ \textbf{\textit{ZON-2018}} \\ \textbf{\textit{3503-11thAve-Sattar}} \\ \textbf{\textit{3503-11thAve-Sattar}} \\ \textbf{\textit{Applications}} \\ \textbf{\textit{ZoningAmend}} \\ \textbf{\textit{ZoningAmend}} \\ \textbf{\textit{Zon-2018}} \\ \textbf{\textit{3503-11thAve-Sattar}} \\ \textbf{\textit{3503-11thAve-Sattar}} \\ \textbf{\textit{Applications}} \\ \textbf{\textit{Appli$

CITY OF PORT ALBERNI

BYLAW NO. 4978

A BYLAW TO AMEND PORT ALBERNI ZONING BYLAW 2014, NO. 4832

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as "Zoning Bylaw Map Amendment No. 31 (3503 11th Avenue – Sattar), Bylaw No. 4978".

2. Zoning Amendment

2.1 That Lots 3 and 4, District Lot 1, Alberni District, Plan 5990 (PID: 005-934-923, 005-935-181), located at **3503 11th Avenue**, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, are hereby rezoned from 'R2 – One and Two Family Residential' to 'R3 Small Lot Single Family Residential'.

3. Map Amendment

Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME THIS 26TH DAY OF NOVEMBER, 2018.

READ A SECOND TIME THIS 26TH DAY OF NOVEMBER, 2018.

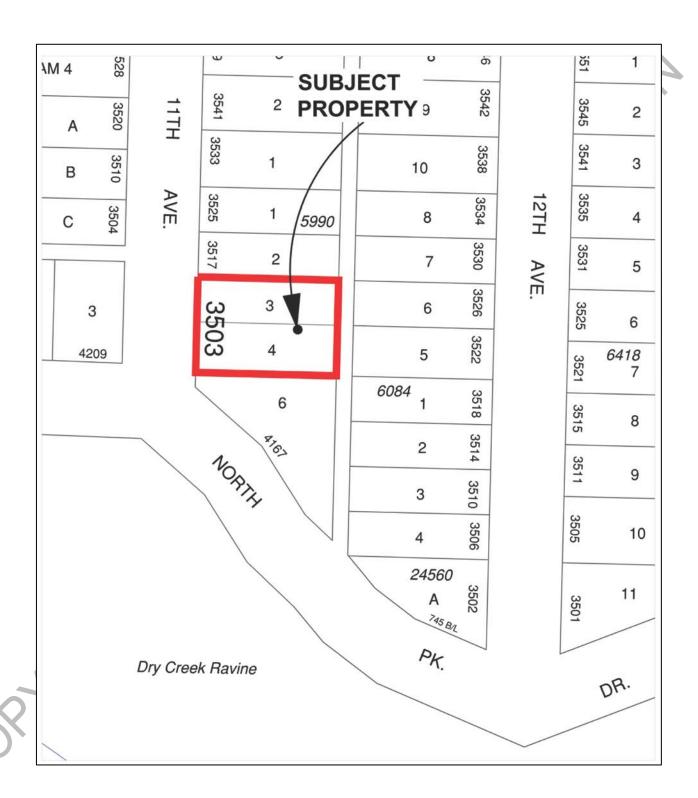
A PUBLIC HEARING WAS HELD THIS DAY OF , 2019.

READ A THIRD TIME THIS DAY OF , 2019.

FINALLY ADOPTED THIS DAY OF , 2019.

Mayor	 Clerk	

Schedule "A" to Bylaw No. 4978





CITY OF PORT ALBERNI NOTICE OF PUBLIC HEARING

Pursuant to Sections 464, 465, and 466 of the Local Government Act, Notice is hereby given that a Public Hearing will be held in the Council Chambers at City Hall, 4850 Argyle Street, Port Alberni, BC on **Monday, January 14, 2019 at 6:30 pm** to hear representation about the following proposed bylaw:

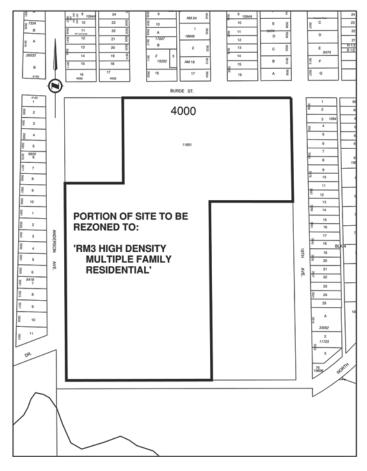
A. "Zoning Bylaw Map Amendment No. 30 (4000 Burde Street – Anderson Hill), Bylaw No. 4977"

APPLICANT: K. Buick dba District Development Corp - The applicant is applying to amend the Zoning Bylaw to facilitate Phase 2 of the Anderson Hill development at 4000 Burde Street. The development is proposed to include a mix of higher density residential dwelling units. The amendment being considered is as follows:

A. Zoning Bylaw Map Amendment:

Applying to amend the **Schedule A Zoning District Map** which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 by re-zoning a portion of *Lot 1, District Lot 46, Alberni District, Plan 11651, (PID: 004-971-418),* located at **4000 Burde Street**, from 'P1 – Institutional' to '**RM3 High Density Multi-Family Residential**' zone as outlined in heavy line on the map beside.

TAKE NOTICE THAT persons who deem their interest in property affected by the above noted bylaw amendment shall be afforded an opportunity to be heard before Council on matters related thereto. Written submissions should be addressed to City Council, 4850 Argyle Street,



Port Alberni, BC, V9Y 1V8. The above noted bylaw amendment, together with Port Alberni Zoning Bylaw 2014, No. 4832, may be inspected at the offices of the Development Services Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from January 2, 2019 to January 14, 2019 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 2nd day of January, 2019. Joe Calenda, MCIP, RPP (Rtd.), DTM, City Planner



CITY OF PORT ALBERNI

DEVELOPMENT SERVICES DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, CAO

FROM: Cara Foden, Development Services Technician

DATE: November 27, 2018

SUBJECT: Proposed Zoning Bylaw Amendments

4000 Burde Street - Lot 1, District Lot 46, Alberni District, Plan 11651, (PID: 004-971-418)

Applicant: Brandon Crema as agent for District Acquisitions Corporation

<u>Issue</u>

At issue is the consideration of an application for a map amendment to the Zoning Bylaw for a portion of the property located at 4000 Burde Street.

Background

The applicant wishes to proceed with Phase 2 of the plan to develop a former secondary school site property to accommodate a mix of residential uses. Phase 1 of the development included amending the Official Community Plan and Zoning bylaws for portions of the site. The resulting amendments facilitated applications for a 15 lot, single family residential subdivision along 16th Avenue and a second subdivision application for a multi-family building to be located on a portion of the property located at the northwest corner of the site.

To proceed with Phase 2 of the development the applicant must apply for a zoning change to the balance of the property. The proposal is to rezone the remaining portion of the site to a high density, multi-family zone that will allow for a mix of multi-family residential uses.

The site is currently vacant but has been cleared and largely levelled although there are some areas of significant grade on portions of the site. Preliminary grading and construction have proceeded on the 15 lot, single family residential portion of the site.

Official Community Plan and Zoning Bylaw

a) The subject portion of the property, Lot 1, District Lot 46, Alberni District, Plan VIP11651 (PID: 004-971-418), located at 4000 Burde Street is currently designated 'Multi-Family Residential' on the Official Community Plan Schedule A – Land Use Map. No amendment is required.

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b) The subject portion of the property, Lot 1, District Lot 46, Alberni District, Plan VIP11651 (PID: 004-971-418), located at 4000 Burde Street is included in 'Development Permit Area No. 1 Multiple Family Residential' on the Official Community Plan Schedule B – Development Permit Area Map. No amendment is required.

c) The subject portion of the property, Lot 1, District Lot 46, Alberni District, Plan VIP11651 (PID: 004-971-418), located at 4000 Burde Street is currently zoned 'P1 Institutional' on the Zoning Bylaw Schedule - A Zoning Map. A map amendment is required to re-zone the property to 'RM3 High Density Multiple Family Residential' zone.

Discussion

Surrounding Area

The property is bounded by Burde St. to the north, Anderson Ave. to the west, 16th Ave. to the east and unconstructed Right of Way for North Park Dr. to the south. Immediately south of North Park Dr. R.O.W. is Dry Creek ravine.

The Official Community Plan (O.C.P.) policy states that the City will consider the following criteria for new areas for multi-family development:

- Should be within walking distance (approx. 800 m) of commercial, recreational, public/institutional nodes, or community scale parks;
- Should be located on or in proximity to major collectors or arterial roads in order to reduce traffic impacts on local roads; and
- An adequate transition between lower density housing and compatibility with adjacent land uses must be provided.

The neighbourhood is generally single family residential use, with several small multi-family buildings in the area. There is a coffee shop one block to the east on Burde Street. There is a commercial hub located at Redford Street and 10th Ave. within an 800 metre radius (easy walking distance) of the site. Dry Creek Park is within that radius also and provides access to trails and nearby recreational amenities such as a Curling Rink, playground, tennis, lacrosse and ballfield facilities. There is a small park (Kiwanis Park) on 16th Avenue, just north of the Burde Street which will be improved using a portion of the Development Cost Charges applied to the Phase 1, 15 lot subdivision.

Burde Sreet is a designated collector road, as is Anderson Avenue and 15th Avenue from Burde Street to Redford Street. 10th Avenue and Redford Street are both designated arterial roads.

Official Community Plan:

The subject portion of the site was designated 'Multi-Family Residential' and included in Development Permit Area No. 1 (Multi-Family Residential) during Phase 1. No amendments are required to the O.C.P. bylaw however architectural design and landscaping will need to be considered, during the Development Permit process, to ensure a high quality, cohesive development, compatible to the neighbourhood.

A preliminary 'Neighbourhood Plan' has been submitted for the subject portion of the site (see attached). It shows a conceptual mix of multi-family residential uses that includes duplexes, townhouses, condominiums and apartment units. The conceptual plan shows two additional apartment buildings (±125 units), some lower density duplex dwellings (± 55 units) and townhomes (± 28 units).

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The Sun Study completed during Phase 1, to demonstrate the potential shadow effect from the proposed apartment building, indicated that with the exception of early mornings and late afternoons in December the shadow from the apartment building will not extend onto neighbouring properties and therefore have very limited impact. The study should be repeated to include the additional apartment buildings proposed in Phase 2 as part of the Development Permit process.

Zoning:

Prior to Phase 1, the site totaled \pm 92,004 m² (\pm 9.2 ha / 23 acres) and was zoned 'P1 Institutional'. During Phase 1 a portion of the site was zoned 'R1 Single Family Residential' and a portion was rezoned 'RM3 High Density Multiple Family Residential'.

For Phase 2, the subject portion/remainder of the site has \pm 202 metres (\pm 663 ft.) of frontage along Burde Street, \pm 124 metres (\pm 407 ft.) of frontage along 16th Avenue, \pm 236 metres (\pm 774 ft.) of frontage along Anderson Avenue and \pm 174 metres (\pm 570 ft.) of frontage along the unconstructed North Park Dr. R.O.W. The area of the site included in the Phase 2 application is \pm 63,950 m² (\pm 6.4 ha / 15.8 acres) and is currently zoned 'P1 Institutional'. The applicant wishes to rezone this portion of the site to 'RM3 High Density Multiple Family Residential'.

RM3 Zoning

The 'RM3 High Density Multiple Family Residential' zone requires a minimum frontage of 30 metres (98.4 ft.). The minimum lot area required is 1,120 m² (12,056 ft²). The maximum site coverage in the RM3 zone is 50%. This subject portion of the site exceeds the frontage and lot size requirements of the RM3 zone. The purpose of this zone is to provide for higher density multiple family residential development.

Infrastructure and Servicing:

Water: There are water mains running along Burde St. and along 16th Ave.

Storm: Main is located along Anderson Ave. adjacent to the site.

Sewer: Sanitary sewer mains run adjacent to the property along 16th Ave., Burde St. and

Anderson Ave.

The detailed issues regarding all servicing requirements will be addressed during the Development Permit process.

Detailed design for all of the proposed multi-family residential buildings will be considered during the Development Permit process. The engineering for the Phase 1 of this project was required to consider future development of the balance of the property. Further engineering submissions will be reviewed and approved by the City Engineering department.

Traffic Signalization at Burde St. and 10th Ave.:

The intersection of Burde Street and 10th Avenue has been historically busy due to traffic generated by the former secondary school. There are new subdivisions at the east end of Burde Street that have contributed to increased traffic in the area and more subdivision activity is anticipated. Phase 1 of this development will likely increase traffic and a portion of the traffic will need to use the un-signalized intersection of the 10th Avenue and Burde Street. Traffic increases may result in a need to install a traffic signal at this intersection.

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During Phase 1 it was recommended that a traffic study of the immediate area, specifically studying the need for a traffic signal at 10th Avenue and Burde Street, <u>should be required with an application for future phases of this property.</u> It is recommended that a traffic study be done prior to final adoption of the proposed bylaw amendment.

Parking:

There is on-street angle parking on a portion of Burde Street and on Anderson Avenue that was used when the former secondary school was in operation. The angle parking should be addressed by requiring it to be removed and replacing it with a wider pedestrian sidewalk more suitable for the intended density of the development. This requirement would be addressed during the Development Permit process.

Trail Network, Park and Greenspace:

Council Policy in the OCP:

"Ravines, watercourses and riparian areas will be preserved in their natural state, and wherever possible, will be linked to other park spaces or natural areas to create a comprehensive network of green space. Trail opportunities within these areas may also be considered when not detrimental to the environment."

The City trail network includes a small section of trail that runs from the end of 16th Avenue along the top of Dry Creek ravine (City owned). There is an existing treed area on the property includes some steep slope sections. During Phase 1 of the project the owner agreed to provide park land, on or before May 31, 2023 and having a total area equal to or greater than 4,653 m², in locations acceptable to the City. The Park Land shall be dedicated in the areas located more or less within the heavily outlined boundaries noted as "Park Dedication" on the attached conceptual plan.

Referral Comments:

- 1. BC Hydro has three phase and single phase power in this area. No issues.
- 2. TELUS has no concerns.
- 3. CANADA POST Request if approved and the development proceeds that the applicant plan suitable mail box locations with us in advance. To service this area a range of centralized delivery systems will be required including community mail boxes requiring safe placement to both City and Canada Post Standards. If development is approved and proceeds we request that applicant contact us for advance planning of our equipment within. Thus ensuring no safety compromise or conflict with other utilities.
- 4. RCMP Interests Unaffected.
- City Parks and Heritage Interests Unaffected.
- 6. City Building Inspector No objections to the rezoning.

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- 7. Ministry of Forests, Lands, Natural Resource Operations and Rural Development
 - a. We recommend that any required vegetation clearing be minimized and occur outside the nesting period from March 1 to August 31 to reduce impacts on all bird species. A search for the nests of birds (eagles, peregrine falcons, gyrfalcon, ospreys and herons) protected under Section 34(b) of the Wildlife Act should be conducted before the start of vegetation clearing. Should the nest of a bird requiring protection under Section 34(b) of the Wildlife Act be located, please refer to the recommended buffer distances in Table 4.1 (Section 4) of Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia (MOE 2014).
 - b. Note that the forested riparian corridor along Owatchet Creek provides nesting habitat for Blue-listed Great Blue Herons. In 2009, a heron colony (H107-005) was located on the south side of the creek within approximately 200 m of the subject property with 14 active nests. Great Blue Herons are sensitive to disturbance from new development during the nesting season. As noted above, we recommend that a search for heron nests be conducted prior to any development activities. Recommended buffers for nesting herons are described in the Heron Fact Sheet.
 - c. We recommend maintaining mature forest whenever possible, and avoiding removal of understory vegetation. If creating trails within forested areas, we recommend the use of permeable materials and a maximum trail width of 1.5 m.
 - d. Follow other relevant best management practices in Develop with Care.
 - e. Approval Recommended Subject to Conditions

Status of the Application

At the November 15, 2018 meeting of the Advisory Planning Commission the following motions were carried:

- 1. That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A Zoning Map) to change the designation of the subject portion of Lot 1, District Lot 46, Alberni District, Plan 11651, (PID: 004-971-418), located at 4000 Burde Street, from 'P1 Institutional' to 'RM3 High Density Multi-Family Residential' zones.
- 2. That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:
 - a. Complete a traffic study for the immediate area, specifically studying the need for a traffic signal at 10th Avenue and Burde Street prior to final adoption of the zoning amendment.

At the November 26, 2018 regular meeting, City Council received and accepted the APC recommendations and gave 1st and 2nd reading to "Zoning Bylaw Map Amendment No. 30 (4000 Burde Street – Anderson Hill), Bylaw No. 4977".

Conclusions

In considering the Zoning amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the site and for the community.

The applicant has requested to rezone \pm 63,950 m² (\pm 6.4 ha / 15.8 acres), the remainder of the site, to the 'RM3 High Density Multi-Family Residential' zone to facilitate the development of a mix of several types of multi-family residential housing. The City will ensure through the Development Permit process that the intended mix of housing represented in the attached Neighbourhood Plan is developed.

The Official Community Plan is supportive of encouraging development within existing developed areas through infill and redevelopment. The proposed bylaw amendment is compatible with the neighbourhood and the Development Services Department supports amending the Zoning bylaw, as proposed, in conjunction with the adoption of the recommended conditions.

Respectfully submitted,

CITY OF PORT ALBERNI

Cara Foden, Planning Technician

Reviewed by:

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM Consulting City Planner to the City of Port Alberni

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SUBJECT PORTION OF PROPERTY - 4000 BURDE STREET



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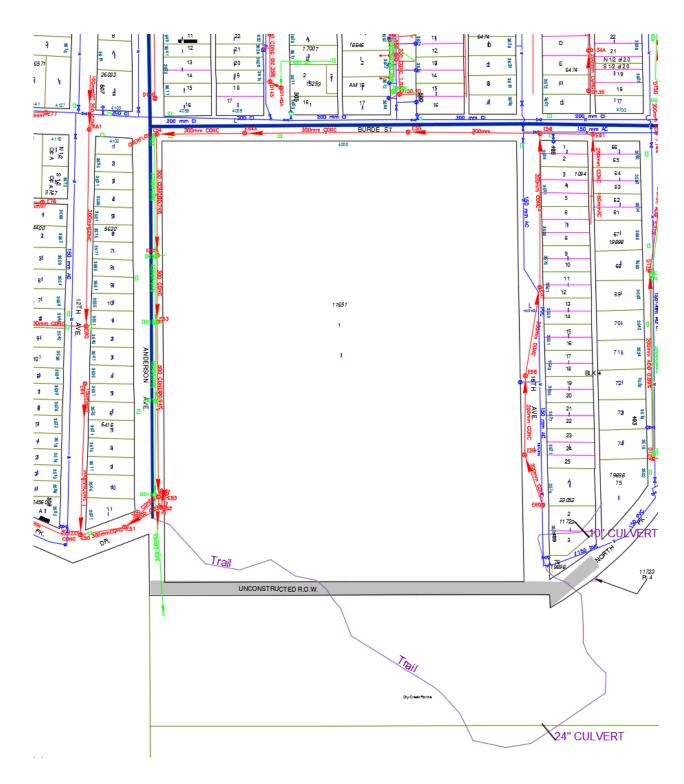
CONCEPTUAL NEIGHBOURHOOD PLAN



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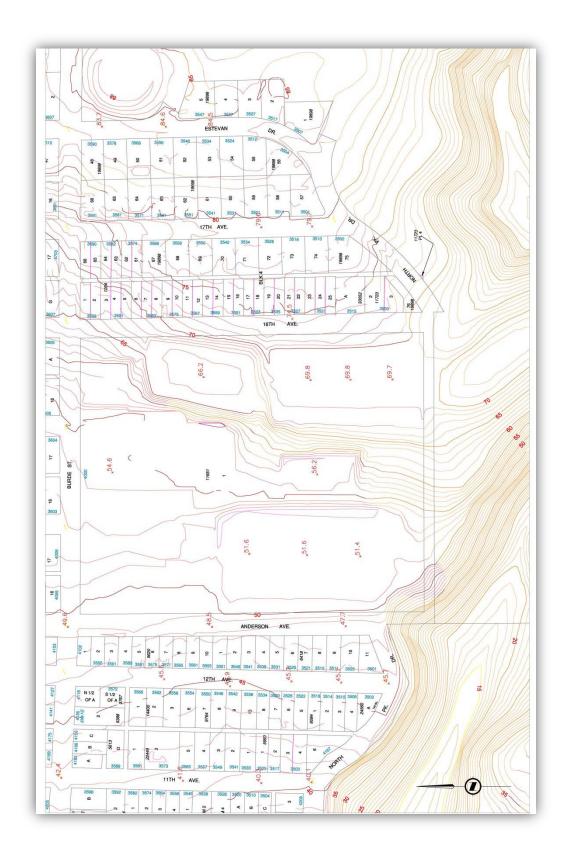
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INFRASTRUCTURE



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P1 - INSTITUTIONAL

5.31 The purpose of this *zone* is to establish and maintain areas in which institutional *uses* can be accommodated and located in a manner complementary with surrounding *uses*.

5.31.1 Permitted uses

Principal Uses

Ambulance station School

Arena Supportive housing
Assembly, cultural or recreational Transition house
facility Tutoring service

Childcare centre

Community care facility

Dormitory

Firehall <u>Accessory Uses</u>

Hospital Caretaker's dwelling unit, subject to Section

Hostel 6.16

Medical service

Office Site Specific Accessory Uses as permitted

Parking lot under Section 5.31.4.

Personal service Place of worship Police station Pound

5.31.2 <u>Site Development Regulations</u>

Minimum Lot Area	540 m ²	(5813 ft ²)
Minimum Frontage	15 m	(49.2 ft)
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	12.5 m	(41 ft)
Maximum Number of Principal Building Storeys	3	

5.31.3 Conditions of *Use*

- (a) Notwithstanding the provisions of 5.31.2, the total of both *side yards* must be equal or greater than 20% of the *lot width*.
- (b) Community care facilities for seniors may include an accessory beauty shop or other provision of other personal services, limited to 16m² (172 ft²) in floor area and 2 service chairs, operating between the hours of 8:30 am to 5:00 pm, Monday to Friday and 9:00 am to 12:00 pm on Saturday.

5.31.4 Site Specific

Α.

The following *Accessory Uses* are permitted on the property located at 5100 Tebo Avenue (Lot 1, District Lot 13, Alberni District, Plan VIP78180 (PID: 001-346-377)):

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- Artist's studio
- Cabinet making
- Custom woodworking
- Furniture repair and upholstery
- · Ornamental metal working
- Printing, publishing and allied industry
- Signs and displays industry
- Small repair shop
- i. The following conditions apply to *Accessory Uses* listed in 5.31.4.A:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 1077 m² (11,592 ft²).
 - c) No retail activity is permitted as part of any business located on the property.

В.

Site - 4411 Wallace Street - Lot B, District Lot 1, Alberni District, Plan 32448 VIP78180 (PID: 000-154-130)

 Notwithstanding the maximum coverage provisions of Section 5.31.2, for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

C.

Site - 4065 6th Avenue - Lot 16, District Lot 1, Alberni District, Plan 13685 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16 (PID: 004-625-919)

- i. The following accessory use is permitted:
 - Restaurant
- ii. The following conditions apply to *Accessory Uses* listed in 5.31.4.Ci:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 481 m² (5180 ft²).

D.

Site – 2170 Mallory Drive – Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
 - a) Small Engine Repair
 - b) Mechanic
 - c) Custom Woodworking
- ii. The following conditions apply to uses listed in 5.31.4 Di: All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.

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Bylaw 4832

RM3 - HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL

5.16 The purpose of this zone is to provide for higher density multiple family residential development.

5.16.1 Permitted uses

Principal Uses
Boarding and lodging
Community care facility
Multiple family dwellings
Accessory Uses
Home occupation

Single family dwelling Two family dwelling

5.16.2 Site Development Regulations

Minimum Lot Area

Minimum Lot Area		
Multiple family dwelling	$1,120 \text{m}^2$	(12,056 ft ²)
Minimum Frontage		
Multiple family dwelling	30 m	98.4 ft
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	6 m	(19.7 ft)
Rear yard	9 m	(29.5 ft)
Side yard	5 m	(16.4 ft)
Maximum Floor Area Ratio	1.2	
Maximum Height, Principal Building	14 m	(45.9 ft)
Maximum Number of Principal Building Storeys	4	

5.16.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.16.2, useable open space shall be provided on the lot at the rate of not less than 45 m² (484.4 ft²) for each dwelling unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each dwelling unit of smaller size.
- (b) Groups of single and two *family* or multiple *family* dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- (c) Density bonusing may be utilized as follows:
 - (i) Where greater than seventy-five (75%) of the required off-street parking is provided *underground* or enclosed underneath the principal *building*, the maximum *floor area ratio* may be increased by 0.1; and
 - (ii) Where elevators are provided and a minimum of ten percent (10%) of the dwelling units are designed as accessible, the maximum permitted floor area ratio may be increased by a maximum of 0.1; and

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Bylaw 4832

- (iii) Where a minimum of ten percent (10%) of the dwelling units are designated as affordable, as specified in a Housing Agreement and where the owners enter into a Housing Agreement with the City, and where this Agreement is filed with the Land Title Office, the permitted maximum floor area ratio of the principal building may be increased by a maximum of 0.1.
- (e) In multi-family residential zones, home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location.
- (f) Site development for single *family* and two *family* dwellings must be in accordance with R2 *zone* regulations provided in Sections 5.12.2 and 5.12.3.

CITY OF PORT ALBERNI

BYLAW NO. 4977

A BYLAW TO AMEND PORT ALBERNI ZONING BYLAW 2014, NO. 4832

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as "Zoning Bylaw Map Amendment No. 30 (4000 Burde Street – Anderson Hill), Bylaw No. 4977".

2. Zoning Amendment

2.1 That a portion of Lot 1, District Lot 46, Alberni District, Plan VIP11651 (PID: 004-971-418), located at 4000 Burde Street, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, is hereby rezoned from 'P1 Institutional' to 'RM3 High Density Multiple Family Residential'.

3. Map Amendment

Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME THIS 26TH DAY OF NOVEMBER, 2018.

READ A SECOND TIME THIS 26TH DAY OF NOVEMBER, 2018.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2019.

READ A THIRD TIME THIS DAY OF , 2019.

FINALLY ADOPTED THIS DAY OF , 2019.

Mayor	Clerk	

Schedule "A" to Bylaw No. 4977

