CITY OF PORT ALBERNI

PUBLIC HEARING AGENDA

Monday, June 24, 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.

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

Applicant: City of Port Alberni

The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision of the property to create four small lot, single family residential parcels facing onto Compton Road.

The proposed bylaw is:

"Zoning Bylaw Map Amendment No.34 (5189 Compton Road – Potter), Bylaw No.4989"

- 2. Background Information from the City Planner report dated June 17, 2019
- 3. Correspondence
- **4.** Late Correspondence Regarding the Matter (To be read by the City Clerk)
- 5. Input from the Public regarding the Bylaw
- **6. Questions from Council:** (Members of Council may ask questions, through the Chair, of the 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.)
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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.

9. Termination of the Public Hearing:

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**, **June 24**, **2019 at 6:30 pm** to hear representation about the following proposed bylaws:

A. " Zoning Bylaw Map Amendment No. 34 (5189 Compton Road – Potter), Bylaw No. 4989"

APPLICANT: D. Potter - The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision of the property to create four small lot, single family, residential parcels facing onto Compton Road. The amendment being considered is for a portion of the property 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 a portion of Lot 1, District Lot 20, Alberni District, Plan 9584 Except part in Plan 10613 (PID: 005-356-407), located at 5189 Compton Road, from 'RR1 Rural Residential' to 'R3 Small Lot Single Family Residential' as shown outlined on the map below.

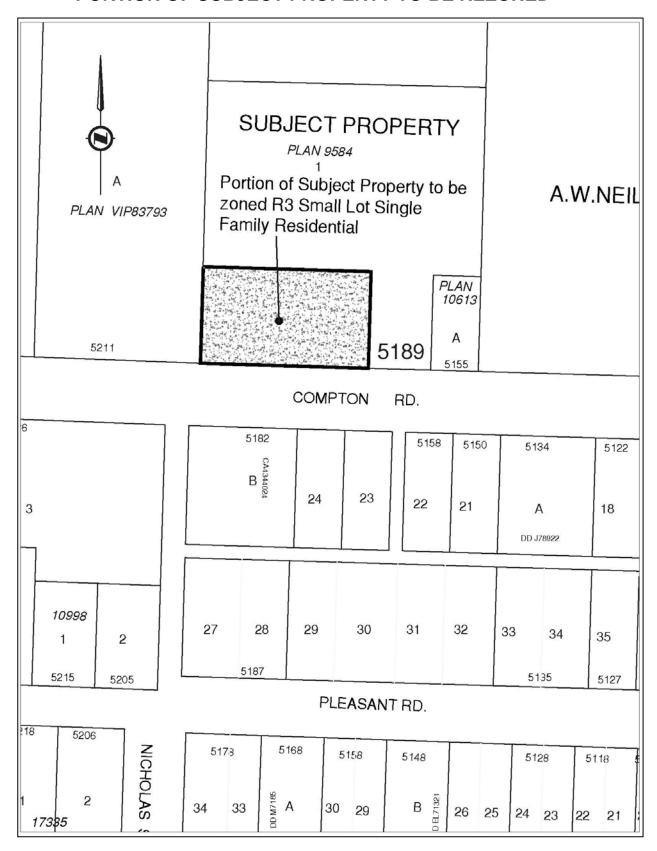
TAKE NOTICE THAT persons who deem their interest in property affected by the above noted bylaw amendment shall be afforded an opportunity to be heard before Council on matters related thereto. Written submissions should be addressed to City Council, 4850 Argyle Street, Port Alberni, BC, V9Y 1V8. The above noted bylaw amendment, together with the 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 June 12, 2019 to June 24, 2019 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 12th day of June, 2019. Katelyn McDougall, M.Urb., Manager of Planning (Katelyn_McDougall@portalberni.ca)

To see the relevant **report** to the Advisory Planning Commission visit: https://www.portalberni.ca/sites/default/files/council_mtg/APC-Agenda-April18-2019.pdf

To see **recommendations** to Council from the Advisory Planning Commission visit: https://www.portalberni.ca/sites/default/files/council_mtg/APC-SummaryMinutes-April18-2019.pdf

PORTION OF SUBJECT PROPERTY TO BE REZONED





CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, CAO

FROM: Katelyn McDougall, Manager of Planning

DATE: June 17, 2019

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment

5189 Compton Road

Lot 1, District Lot 20, Alberni District, Plan 9584 Except part in Plan 10613

(PID: 005-356-407) **Applicant:** D. Potter

<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 5189 Compton Road.

Background

An application has been made to amend the Zoning Bylaw to rezone a **portion of 5189 Compton Road**, in order to facilitate a subdivision application. There is an existing house with multiple outbuildings on the relatively large property and the applicant proposes to subdivide the property to create four new residential lots fronting Compton Road.

Official Community Plan and Zoning Bylaw

- a) **5189 Compton Road**, Lot 1, District Lot 20, Alberni District, Plan 9584 Except part in Plan 10613 (PID: 005-356-407), is currently designated '**Residential**' on the Official Community Plan Schedule A Land Use Map. The property is not within a Development Permit Area on the Schedule B Development Permit Areas Map. No amendments are required.
- b) **5189 Compton Road**, Lot 1, District Lot 20, Alberni District, Plan 9584 Except part in Plan 10613 (PID: 005-356-407), is currently zoned 'RR1 Rural Residential'. A map amendment to the Zoning Bylaw Schedule A Zoning Map is requested to designate a portion of the property as 'R3 Small Lot Single Family Residential'.

Discussion

Zoning:

The property at 5189 Compton Road is an irregular "L" shaped lot, which has a total frontage along Compton Road that measures approximately 73.71 metres (248.82 ft) and a lot depth

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measuring approximately 90.86 metres (298.11 ft). The total area of the site is ± 7605 m2 (81,862 ft2).

The R3 zone has a minimum frontage requirement of 10 metres (33 ft) and a minimum lot area requirement of 350 m2 (3,767 ft2). With the total site area being ±7605m2 (81,862 ft2) it should be possible to create four smaller lots that would each meet or exceed the minimum lot size requirement of 350 m2. The maximum site coverage permitted in the R3 zone is 50% which is adequate to allow development if the parcel is subdivided into three lots. See attached conceptual site plan.

Surrounding Area

The area contains a mix of uses but is predominately single family residential use to the immediate west and south. To the immediate north and east is AW Neill elementary school. A newer subdivision was recently developed just to the north of the subject property and elementary school. While the north west side Port Alberni does have a more rural feel, with more RR1 and RR2 zoning compared to other areas of town, it would not be uncommon to see smaller lot sizes in the area.

Nearby the subject property is a large forested area containing Kitsuksis Creek that leads down and connects into the Kitsuksis Dyke, which is surrounded by a public trail network.

Infrastructure

Water: There is a water main located on Compton Road. There is also a water main running along the west side of the property.

Sewer: The main sanitary sewer connection is from Compton Road, and there are mains along the west side of the property as well.

Storm: Main is located along Compton Road and there is culvert and catchment drain located at the south east portion of the site.

The capability of the existing infrastructure for the apartment building will need to be proven out by the developers' engineer and approved by the City Engineering department. 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.

Topography and Geotechnical

There is a significant existing retaining wall along the south and west property lines. These retaining walls will need to be considered in a geotechnical report as part of the subdivision process.

Referrals

RCMP

Interests unaffected by the proposal.

PARKS

• Drainage in the area to be diverted into storm drain not open ditch.

BUILDING

No comments.

FORTIS

FortisBC Energy Inc. has no objections or concerns.

BC Hydro

 Has 3 phase power on the south side of Compton Rd. The four lots would be serviceable by BC Hydro. The existing lot shows as being serviced by BC Hydro from the southwest corner where there is a proposed 7.3 m lot. If the new lots continue to be serviced from that location then that piece should either not be subdivided off or BC Hydro would require a right of way over that piece before subdivision is approved.

Status of the Application

At the April 18, 2019 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 on a portion of Lot 1, District Lot 20, Alberni District, Plan 9584 Except part in Plan 10613 (PID: 005-356-407) located at 5189 Compton Road from 'RR 1 Rural 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 subdivision from the City of Port Alberni's Approving Officer.

At the May 13, 2019 regular meeting, City Council received and accepted the APC recommendations and gave 1st and 2nd reading to "Zoning Bylaw Map Amendment No. 34 (5189 Compton Road – Potter), 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 small lot 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 Planning Department supports the zoning amendment to the R3 zone.

Respectfully submitted,

Katelyn McDougall, M.Urb Manager of Planning

Katelyn McDougall

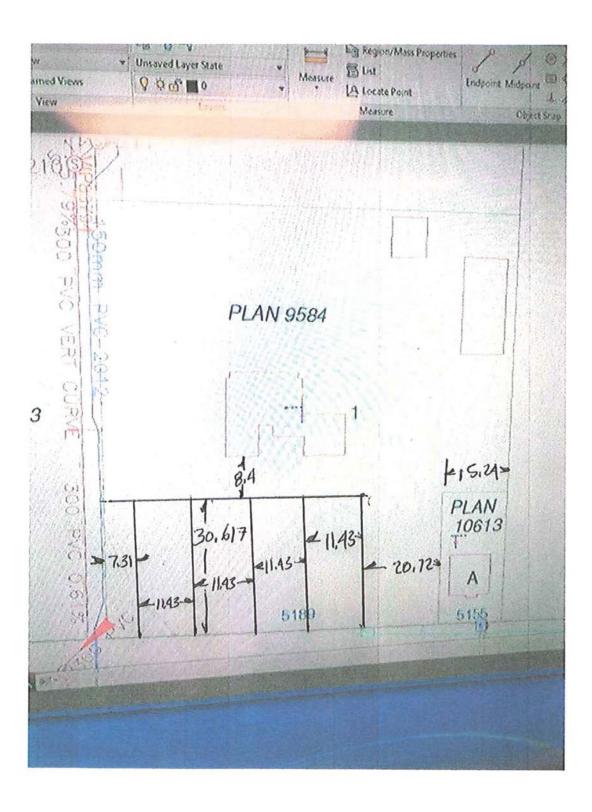
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SUBJECT PROPERTY - 5189 Compton Road



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Conceptual Layout - 4 Lots



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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

<u>Principal Uses</u>	<u>Accessory Uses</u>
Single family dwelling	Home occupation

5.13.2 <u>Site Development Regulations</u>

Minimum Lot Area	350 m^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	

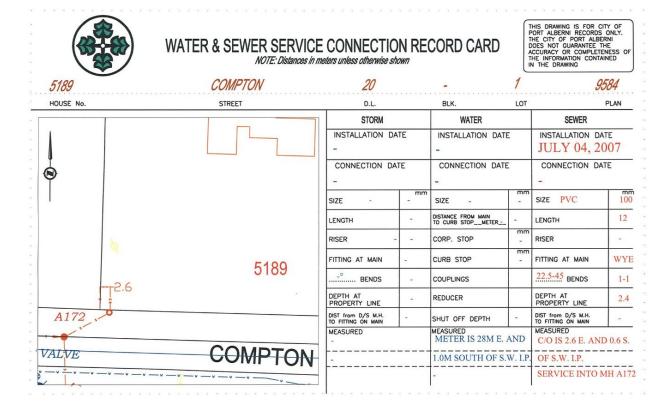
5.13.3 <u>Conditions of *Use*</u>

Notwithstanding the provisions of 5.13.2,

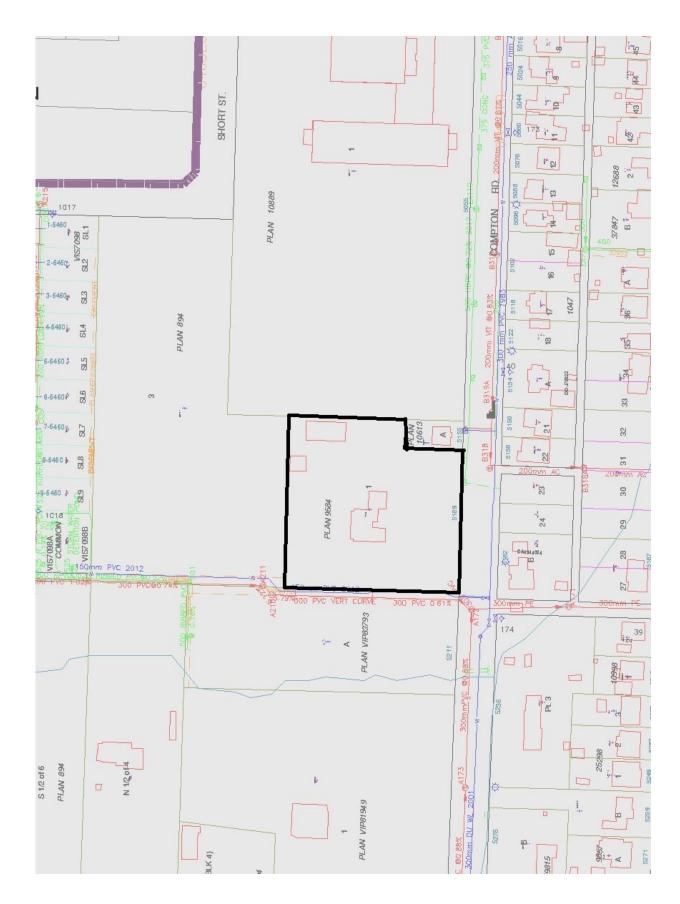
- (a) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single *family* dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement 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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W	ATER & SEWER S	ERVICE CONNEC	TION RECORD CARD	EXCEPT	TI
5189	COMPTON R	D. Z	0 -	1 9587	2
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		CONNECTION DATE	CONNECTION DATE	CONNECTION DATE	
	Si	ZE	SIZE	SIZE	
	LE	NGTH	DISTANCE FROM MAIN TO CURB STOP	LENGTH	
	RI	SER	CORP. STOP	RISER	
	FI	TTING AT MAIN	CURB STOP	FITTING AT MAIN	
W		* BENDS	COUPLINGS		
ROCK RET. WALL	n pi	EPTH AT ROPERTY LINE	REDUCER	DEPTH AT PROPERTY LINE	
0.000		STANCE FROM M.H.) FITTING ON MAIN		DISTANCE FROM M.H. TO FITTING ON MAIN	
		EASURED	MEASURED	MEASURED	
OMPTON RD.			29.7m EAST OF		
			SOUTH WEST PL		



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CITY OF PORT ALBERNI

BYLAW NO. 4989

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:

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This Bylaw may be known and cited for all purposes as "Zoning Bylaw Map Amendment No. 34 (5189 Compton Road – Potter), Bylaw No. 4989".

2. Zoning Amendment

2.1 That a portion of Lot 1, District Lot 20, Alberni District, Plan 9584 Except part in Plan 10613 (PID: 005-356-407), located at **5189 Compton Road**, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, is hereby rezoned from 'RR1 - Rural 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 13 TH DAY OF MA	Y, 2019.
READ A SECOND TIME THIS 13 TH DAY OF I	MAY, 2019.
A PUBLIC HEARING WAS HELD THIS DA	AY OF , 2019.
READ A THIRD TIME THIS DAY OF	, 2019.
FINALLY ADOPTED THIS DAY OF	_, 2019.
Mavor C	Clerk

Schedule "A" to Bylaw No. 4989

