

CITY OF PORT ALBERNI
PUBLIC HEARING AGENDA

Monday, May 29, 2017 at 5:30 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)*

Applicants: A. McLellan, M. and C. Ryles

The applicants are applying to amend the Official Community Plan and the Zoning Bylaw to facilitate the subdivision of the properties at 2881 and 2911 Burde Street into approximately 13 residential parcels.

The proposed bylaws are:

- “Official Community Plan Amendment No. 24 (2881 and 2911 Burde Street – McLellan and Ryles), Bylaw No. 4934”
- “Zoning Amendment No. 21 (2881 and 2911 Burde Street – McLellan and Ryles), Bylaw No. 4935”

2. Background Information from the Director of Development Services Report dated May 24, 2017

3. Correspondence

4. Input from the Public regarding the Bylaw

5. Late Correspondence Regarding the Matter *(To be read by the City Clerk)*

6. Questions from Council: *(Members of Council may ask questions, through the Chair, of the Director of Development Services 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 Bylaws.

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, May 29, 2017 at 5:30 pm** to hear representation about the following proposed bylaws:

- A. **"Official Community Plan Amendment No. 24 (2881 and 2911 Burde Street – McLellan and Ryles), Bylaw No. 4934"**
- B. **"Zoning Map Amendment No. 21 (2881 and 2911 Burde Street – McLellan and Ryles), Bylaw No. 4935"**

APPLICANT: A. McLellan and M. and C. Ryles - The applicant's are applying to amend the Official Community Plan and the Zoning Bylaw to facilitate the subdivision of the properties into approximately 13 residential parcels. The amendments being considered are as follows:

A. Official Community Plan Map Amendment:

1. Applying to amend the **Schedule A Land Use Map** which forms an integral part of Port Alberni Official Community Plan Bylaw No. 4602, 2005 to change the designation of both Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930 (PID: 003-784-657), located at **2881 Burde Street**, and Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012 (PID: 007-435-762), located at **2911 Burde Street** from 'Future Residential' use to '**Residential**' use as shown on the map below.

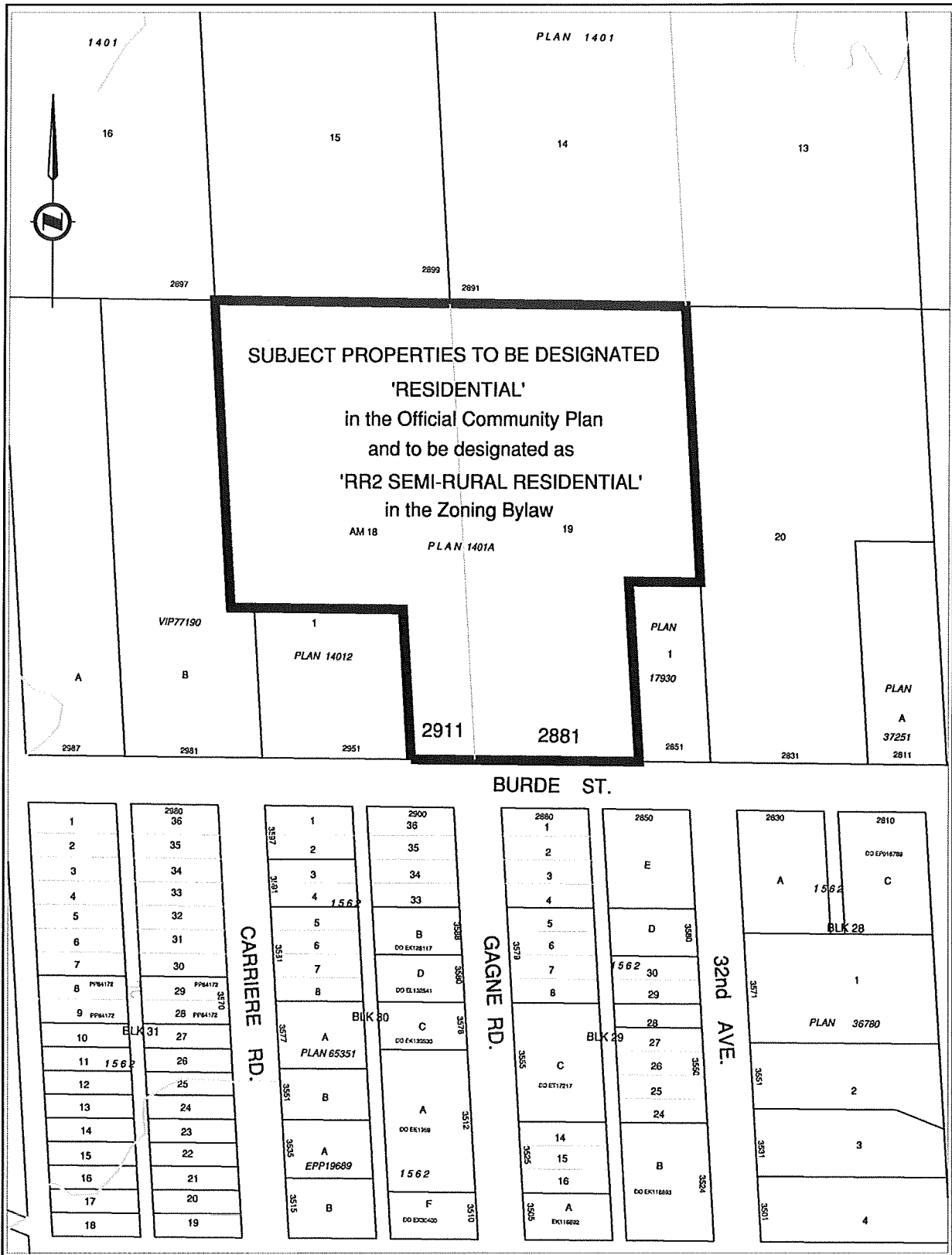
2. Zoning Bylaw Map Amendment:

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 both Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930 (PID: 003-784-657), located at **2881 Burde Street**, and Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012 (PID: 007-435-762), located at **2911 Burde Street**, as shown outlined on the map below, from 'FD - Future Development' to '**RR2 – Semi-Rural Residential**'.

TAKE NOTICE THAT persons who deem their interest in property affected by the above noted bylaw amendments 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 amendments, together with Official Community Plan Bylaw No. 4602, 2005 and 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 May 19, 2017 to May 29, 2017 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 19th day of May, 2017.
Scott Smith, Director of Development Services

SUBJECT PROPERTIES





CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, CAO
FROM: Scott Smith, Director of Development Services
DATE: May 24, 2017

SUBJECT: Development Application – Official Community Plan and Zoning Bylaw Map Amendments
2881 Burde Street (PID: 003-784-657) - Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930; **and**
2911 Burde Street (PID: 0007-435-762) - Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012
Applicants: A. McLellan, M. and C. Ryles

Issue

To consider an application for amendments to the Official Community Plan Bylaw and the Zoning Bylaw for two properties, 2881 and 2911 Burde Street.

Background

The larger of the two properties (Lot 19) is addressed as 2881 Burde Street and is ~1.7 hectares (~4.2 acres) in size. The frontage on Burde Street is 70.1 m (230.0') and there is one single family house on the southeast portion of the property. The second property (Lot 18) is a vacant parcel addressed as 2911 Burde Street and is ~1.5 hectares (~3.6 acres). The frontage on Burde Street is 27.1 m (88.92'). The property at 2911 Burde Street is fully treed and approximately half of property at 2881 Burde Street is treed. The treed areas of both properties have variable elevation differences and include several small areas with standing water and one small pond on 2881 Burde Street.

The application is for amendments to the OCP Bylaw and to the Zoning Bylaw in order to facilitate a subdivision application. The proposal is for a 13 lot subdivision (see attached concept plan).

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation is 'Future Residential' use on the Official Community Plan Schedule A – Land Use Map for both properties. A map amendment is required to designate both properties as '**Residential**' use.

- b) The Zoning Bylaw designation is currently 'RR1 – Rural Residential' on both properties. A map amendment to the Schedule A - Zoning Bylaw Map is required to designate the properties to **'RR2 – Semi Rural Residential'**.

Discussion

Surrounding Area

The surrounding area is primarily single family residential use in character and includes a variety of lot sizes. There are small acreages, mid-sized lots and several urban sized lots including small lots that were historically created when the area was originally surveyed.

Zoning

The RR2 zone (see attached) allows for development of lots with a minimum frontage of 23 m and minimum lot size of 1160 m². The proposed lots on the concept would have frontages of over 23 m and lot sizes exceeding the minimum lot size.

Infrastructure

Road - There is an existing private easement through the subject properties that is currently used to provide access to homes at 2897, 2899 and 2891 Burde Street. None of these properties have any legal frontage on Burde Street and the private easement will be impacted by the proposed subdivision.

The proposed subdivision will require an extension of Gagne Road to be constructed north from Burde Street to the properties at 2899 and 2891 Burde Street. The developers will be required to dedicate a public road allowance and will be responsible for the costs of road construction prior to subdivision approval. The required road allowance will improve access for 2899 and 2891 Burde Street. The property at 2897 Burde St. will still require a private easement through 2899 Burde Street.

Addressing - The properties at 2897, 2899 and 2891 Burde Street will be required to have new civic house numbers assigned off Gagne Rd. The addressing will be determined as part of the subdivision process.

Water - There is a City water main available along the front of the property on Burde Street. There is also an existing water main located in a right-of-way going north on the property that provides for the services to 2897, 2899 and 2891 Burde Street. This water main may need to be relocated because of the road construction. This will need to be determined by the developer's engineer and approved by the City Engineer.

Sanitary Sewer - The sanitary sewer system does not currently extend to this section of the City of Port Alberni. As part of the engineering design work for the second phase of the Uplands subdivision, the engineering feasibility for a gravity sanitary sewer system further east along Burde Street is being undertaken. During the subdivision process for 2881 and 2911 Burde Street, the feasibility of extending the City sanitary sewer will be examined. The option of an on-site sewage disposal system for each of the proposed lots could also be reviewed. The Advisory Planning Commission strongly recommended that the development be required to connect to the sanitary sewer system.

Storm Drainage – As previously stated the elevation of the treed portions of the properties is variable with areas of standing water. There is an existing large culvert on 2891 and 2899 Burde Street at the north end of the proposed road that appears to drain portions of 2881 Burde Street. A Stormwater Management Plan and Lot Grading Plan will be required to determine proper drainage for the proposed subdivision. The plans will be prepared by the developer's engineer and approved by the City Engineer.

Private Utilities - BC Hydro and other private utilities are available along Burde Street. There is an existing hydro line that goes down the centre of the proposed new road. A new line will need to be designed and installed by the developer.

The detailed issues regarding sanitary and storm sewer, water service and private utilities will be addressed in the preliminary layout approval during the subdivision process. All engineering submissions will be reviewed and approved by the City Engineer.

Status of the Application

At the April 20, 2017 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 Official Community Plan Schedule A Land Use Map to change the designation of both Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930 (PID: 003-784-657), located at **2881 Burde Street** and Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012 (PID: 0007-435-762), located at **2911 Burde Street** from 'Future Residential' use to '**Residential**' use.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Schedule A Zoning Bylaw Map to rezone both Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930 (PID: 003-784-657), located at **2881 Burde Street** and Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012 (PID: 0007-435-762), located at **2911 Burde Street**, from 'FD - Future Development' to '**RR2 – Semi-Rural Residential**'.*
3. *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 a proposed subdivision, from the City of Port Alberni's Approving Officer.*
 - b. *Connection to the City of Port Alberni sanitary sewer infrastructure.*

At its May 8, 2017 regular meeting, City Council received and accepted the APC recommendations and gave 1st and 2nd reading to Official Community Plan Amendment No. 24 (2881 and 2911 Burde Street – McLellan and Ryles), Bylaw No. 4934 and Zoning Map Amendment No. 21 (2881 and 2911 Burde Street – McLellan and Ryles), Bylaw No. 4935.

Conclusions

In considering the Official Community Plan and Zoning amendment, City Council should consider whether the proposed amendments are appropriate for the site and for the community.

The proposed subdivision is compatible with the character of the existing residential neighbourhood. The extension of the City of Port Alberni sanitary sewer system should be strongly considered and the Advisory Planning Commission recommended to Council that the development be required to connect to the City of Port Alberni sanitary sewer system. The Planning Department supports the Official Community Plan and Zoning Bylaw amendments.

Respectfully submitted,



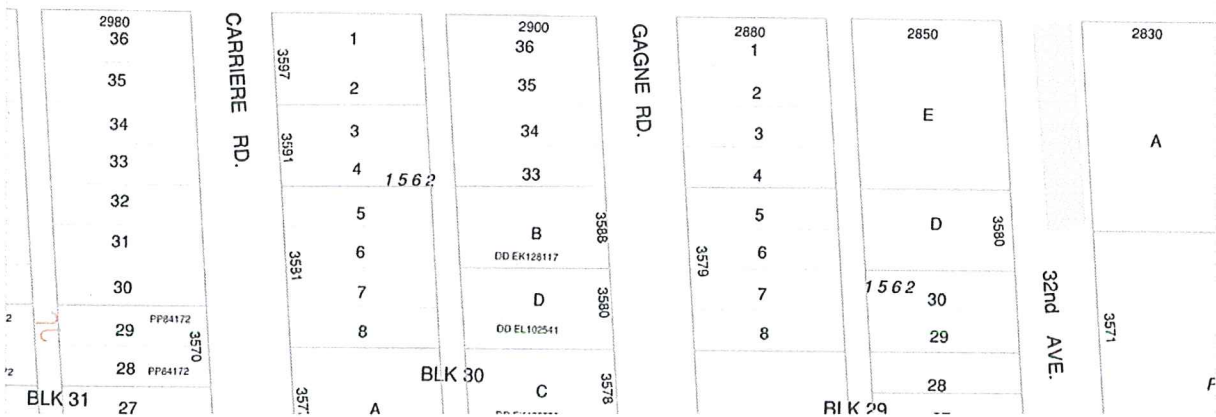
Scott Smith, MCIP
Director of Development Services



CONCEPTUAL LAYOUT



BURDE ST.



RR2 – SEMI RURAL RESIDENTIAL

5.10 The purpose of this *zone* is to provide for low density development of a semi-rural character.

5.10.1 Permitted usesPrincipal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary Suite

Supportive housing

5.10.2 Site Development Regulations

Minimum Lot Area	1160 m ²	(12,487 ft ²)
Minimum Frontage	23 m	(75.5 ft)
Maximum Coverage	33%	
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 Floor Area Ratio	0.4	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of residential units per lot	2	

5.10.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.10.2:
- (i) The sum of the width of both *side yards* must be equal to or greater than 20% of the *lot width*.
 - (ii) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
 - (iii) 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*.
- (b) For *supportive housing*, the maximum number of persons in care shall not exceed four (4).
- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*: *bed and breakfast* OR *secondary suite* OR *supportive housing*.

From Burde St. looking north at 2881 Burde



From Burde St. looking north along private easement.



J.V

CITY OF PORT ALBERNI

BYLAW NO. 4934

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN
FOR THE CITY OF PORT ALBERNI

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 "**Official Community Plan Amendment No. 24 (2881 and 2911 Burde Street - McLellan and Ryles), Bylaw No. 4934**".

2. Official Community Plan Amendments

2.1 **Schedule A (Land Use Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended to change the designation of both Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930 (PID: 003-784-657), located at **2881 Burde Street**, and Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012 (PID: 007-435-762), located at **2911 Burde Street**, from 'Future Residential' use to '**Residential**' as shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw.

READ A FIRST TIME THIS 8TH DAY OF MAY, 2017.

READ A SECOND TIME THIS 8TH DAY OF MAY, 2017.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2017.

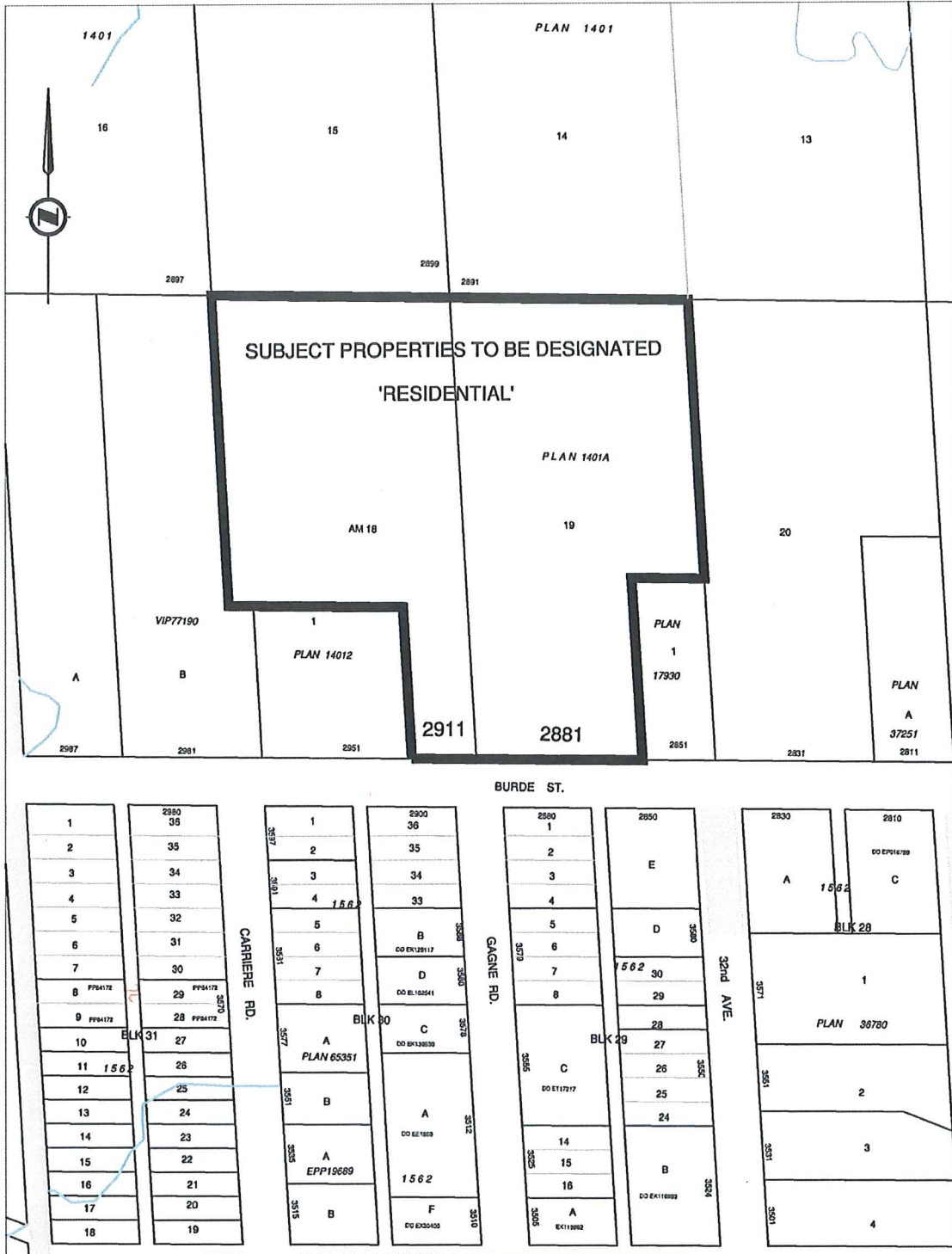
READ A THIRD TIME THIS DAY OF , 2017.

FINALLY ADOPTED THIS DAY OF , 2017.

Mayor

Clerk

Schedule "A" to Bylaw 4934



CITY OF PORT ALBERNI

BYLAW NO. 4935

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 Amendment No. 21 (2881 and 2911 Burde Street - McLellan and Ryles), Bylaw No. 4935**".

2. Zoning Amendment

2.1 That both Block 19, District Lot 139, Alberni District, Plan 1401A, Except part in Plan 17930 (PID: 003-784-657), located at **2881 Burde Street**, and Amended Block 18 (DD85071N), District Lot 139, Alberni District, Plan 1401A, Except part in Plan 14012 (PID: 007-435-762), located at **2911 Burde Street**, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, is hereby rezoned from 'FD - Future Development' to '**RR2 – Semi-Rural 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 8TH DAY OF MAY, 2017.

READ A SECOND TIME THIS 8TH DAY OF MAY, 2017.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2017.

READ A THIRD TIME THIS DAY OF , 2017.

FINALLY ADOPTED THIS DAY OF , 2017.

Mayor

Clerk

