

CITY OF PORT ALBERNI
PUBLIC HEARING AGENDA

Monday, March 13, 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)*

Applicant: Peter Tsai

The applicant is applying to amend the Zoning Bylaw to rezone 4849 Regina Avenue from R1 – Single Family Residential to R3 – Small Lot Single Family Residential in order to facilitate a subdivision application.

The proposed bylaw is:

“Zoning Bylaw Map Amendment No. 20 (4849 Regina Avenue – Tsai), Bylaw No. 4931”

2. Background Information from the Director of Development Services Report dated March 6, 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, March 13, 2017 at 5:30 pm** to hear representation about the following proposed bylaw:

A. "Zoning Bylaw Map Amendment No. 20 (4849 Regina Avenue – Tsai), Bylaw No. 4931"

APPLICANT: P. Tsai - The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision of the property into 2 residential parcels. 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 Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455, (PID 000-587-087), located at **4849 Regina Avenue**, as shown outlined on the map below, from 'R1 - Single 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 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 Planning Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from March 3, 2017 to March 13, 2017 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 3rd day of March, 2017.
Scott Smith, City Planner

SUBJECT PROPERTY





CITY OF PORT ALBERNI

PUBLIC HEARING REPORT

TO: Tim Pley, CAO

FROM: Scott Smith, Director of Development Services

DATE: March 6, 2017

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment
4849 Regina Avenue
Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455
(PID 000-587-087)
Applicant: P. Tsai

Issue

To consider an application for a map amendment to the Zoning Bylaw Schedule A (Zoning Map) for the subject property at 4849 Regina Avenue.

Background

An application has been made to amend the Zoning Bylaw to rezone 4849 Regina Avenue from R1 – Single Family Residential to R3 – Small Lot Single Family Residential in order to facilitate a subdivision application. The property is located on Regina Avenue and adjacent to a laneway, mid-block between Rex Road and Johnston Road. There is an existing house and workshop on the property. The applicant proposes to demolish the existing house and shed and subdivide the lot into two small residential lots.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation on **4849 Regina Avenue**, Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455 (PID 000-587-087), is currently Residential on the Official Community Plan Schedule A – Land Use Map. No amendment is required.
- b) The property at **4849 Regina Avenue**, Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455 (PID 000-587-087), is currently zoned R1 - Single Family Residential on the Zoning Bylaw Schedule - A Zoning Map. A map amendment to the Zoning Bylaw Schedule A - Zoning Map is required to designate the property as **R3 – Small Lot Single Family Residential**.

Discussion

Zoning:

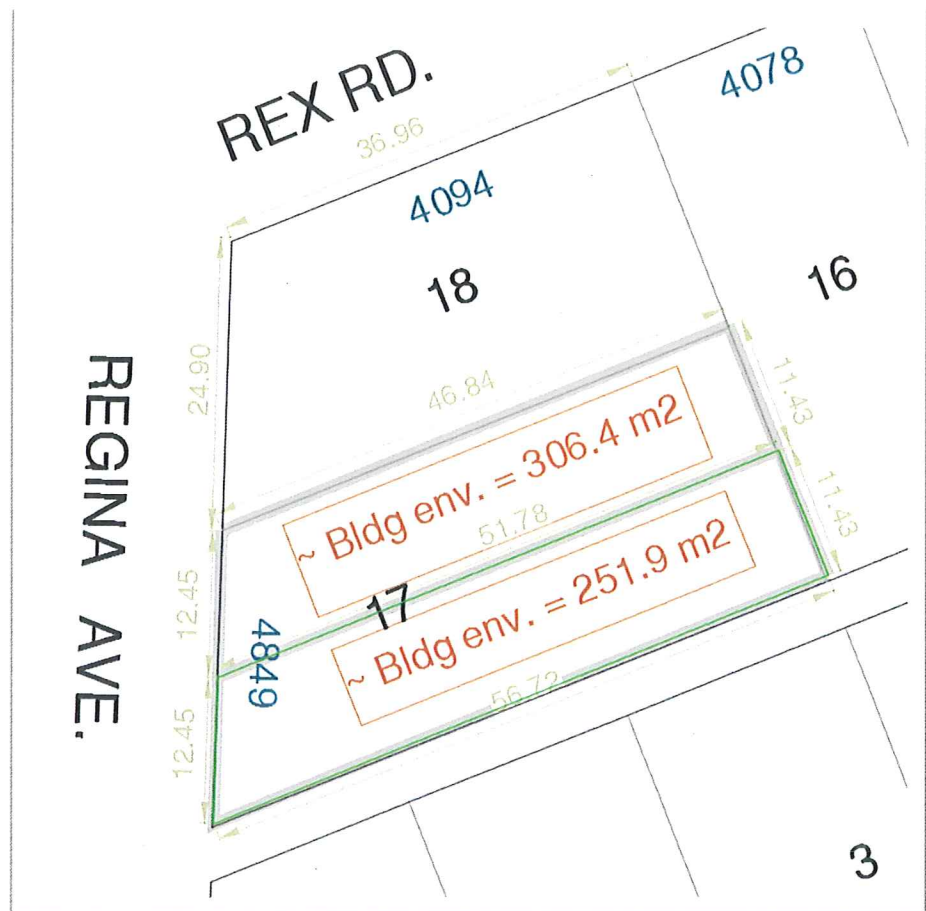
The property at 4849 Regina Avenue has frontage along Regina Avenue of ± 25 metres (81.7 ft.) and a lot area of $\pm 1183 \text{ m}^2$ (12,734 ft^2). The lot depth along the laneway is 56.7 metres (186.1 ft.).

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). The maximum site coverage in the R2 zone is 50%. The site frontage on Regina Avenue is adequate for the creation of two lots in the R3 zone. With a total area of $\pm 1183 \text{ m}^2$ (12,734 ft^2) it would be possible to create two smaller lots that would each exceed the minimum lot size requirements. The 50% maximum site coverage permitted in the R3 zone is adequate to allow development if the parcel is subdivided into two lots. See an example below illustrating two lots with equal frontage:

For a lot having an area of $\pm 563 \text{ m}^2$ the maximum lot coverage would be 281.5 m^2 ($\pm 3030 \text{ ft}^2$). With a building envelope of $\pm 306 \text{ m}^2$ the lot is developable.

For a lot having an area of $\pm 620 \text{ m}^2$ the maximum lot coverage would be 310 m^2 ($\pm 3337 \text{ ft}^2$). The location adjacent to a laneway increases that side yard setback to 3 m (9.8ft). The building envelope is reduced to $\pm 251.9 \text{ m}^2$ ($\pm 2711 \text{ ft}^2$).

The building envelope remains adequate for development.



Surrounding Area

The area is predominately single family residential with a mix of lot sizes. To the west across Regina Avenue there is a former church (Knox Presbyterian) which is no longer being used as a church. The Johnston Road / Hwy 4 corridor to the south, between Ian Avenue and Tebo Avenue is primarily residential with the exception of the commercial uses located at the intersection of Tebo Avenue and Johnston Road. Several small lot rezoning applications have been approved in the neighbourhood in recent years.

Infrastructure

The City water, sanitary and storm service connections for the existing house are located as per the service card (see attached). All existing connections will need to be recertified due to their age or re-located in order to service the proposed lots.

Water: There is a water main along Regina that currently services the existing house. The water main may need to be extended to service the southerly proposed lot.

Storm: A storm main located in the alleyway currently services the existing house. The northerly proposed lot would be required to connect to the storm main that runs along the Regina Avenue frontage.

Sewer: A sewer main located in the alleyway currently services the existing house. The northerly proposed lot would be required to connect to the sewer main that runs along the Regina Avenue frontage.

There are overhead private utilities located on Rex Road. It appears that at 4849 Regina Avenue the current hydro service has an aerial trespass over 4094 Rex Road. BC Hydro preliminary comments will require the developer to install a new hydro pole on Regina Avenue to serve the proposed subdivision. The existing pole at the corner of Rex Road and Regina Avenue may also need to be relocated depending on the alignment with the new pole.

The Ministry of Transportation has commented that their interests are unaffected by the proposed bylaw amendment.

The detailed issues regarding servicing requirements will be covered under the Preliminary Layout Approval letter during the subdivision process.

Status of the Application

At the February 2, 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 Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455 (PID 000-587-087), located at **4849 Regina Avenue**; from R1 - Single 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 its February 14, 2017 regular meeting, City Council accepted the APC recommendations and gave 1st and 2nd reading to Zoning Bylaw Map Amendment No. 20 (4849 Regina Avenue – Tsai), Bylaw No. 4931.

Conclusions

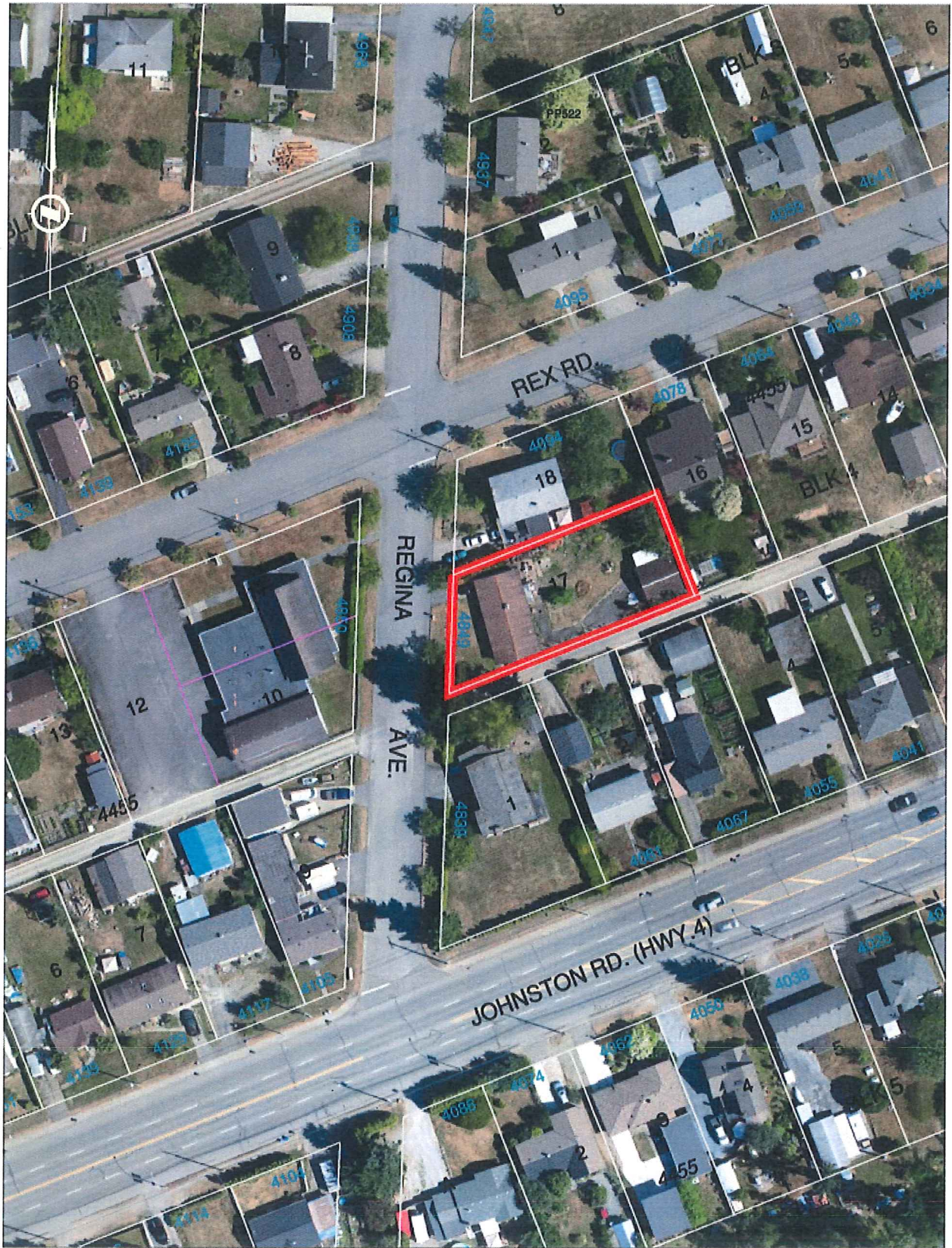
In considering the Zoning amendment, City Council should consider whether the proposed amendment is appropriate for the site and for the community.

The R3 - Small Lot Single Family Residential zone allows for slightly greater density while maintaining a single family residential character. The 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.

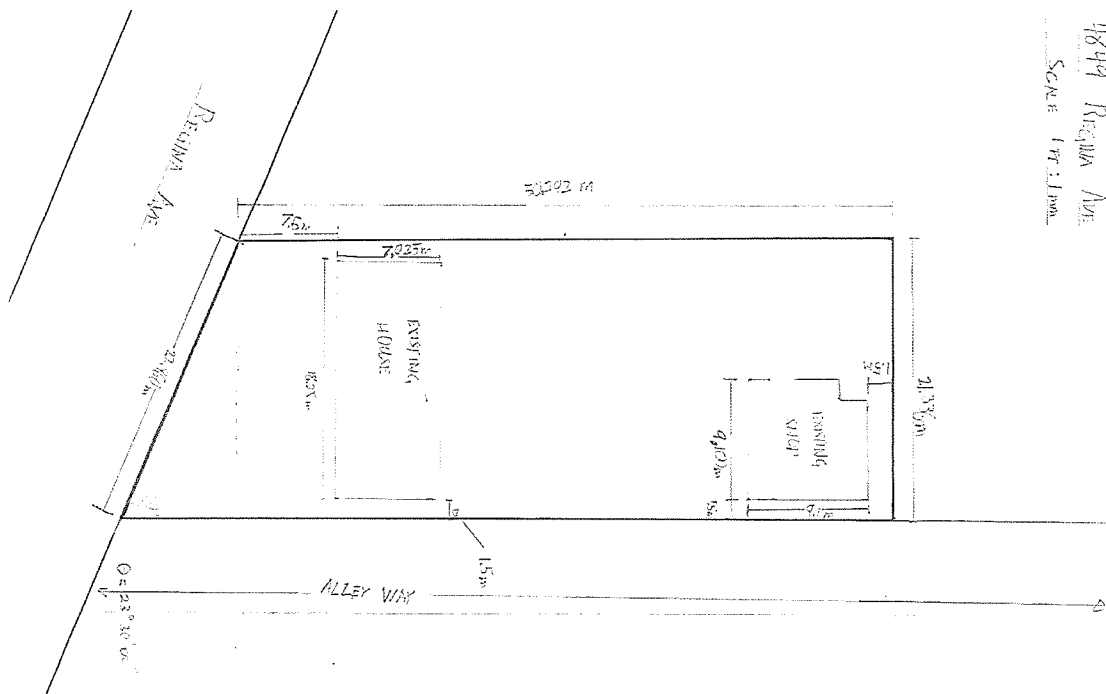
Respectfully submitted,



Scott Smith, MCIP
Director of Development Services

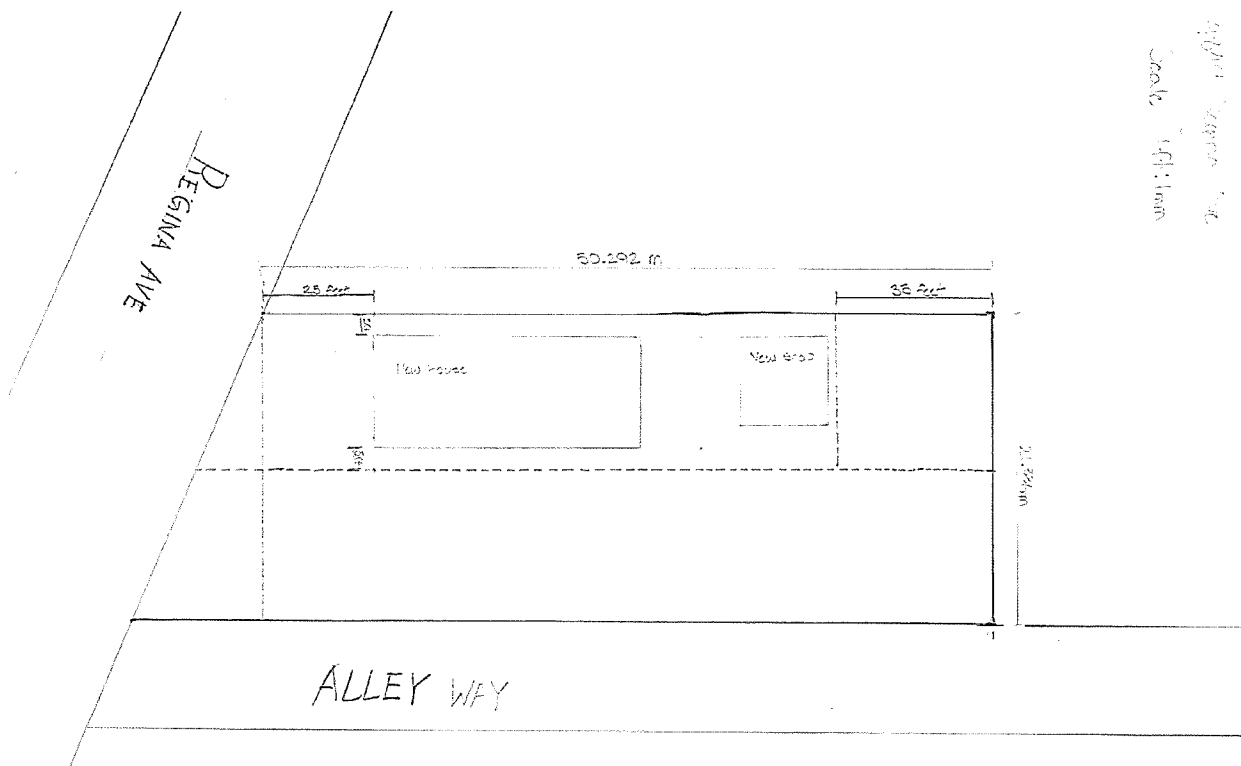


EXISTING SITE



1844 Regina Ave
Scale 1" = 1' 0"

PROPOSED LAYOUT



1844 Regina Ave
Scale 1" = 1' 0"

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 usesPrincipal UsesSingle *family dwelling*Accessory Uses*Home occupation*5.13.2 Site Development Regulations

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

5.13.3 Conditions of Use

Notwithstanding the provisions of 5.13.2,

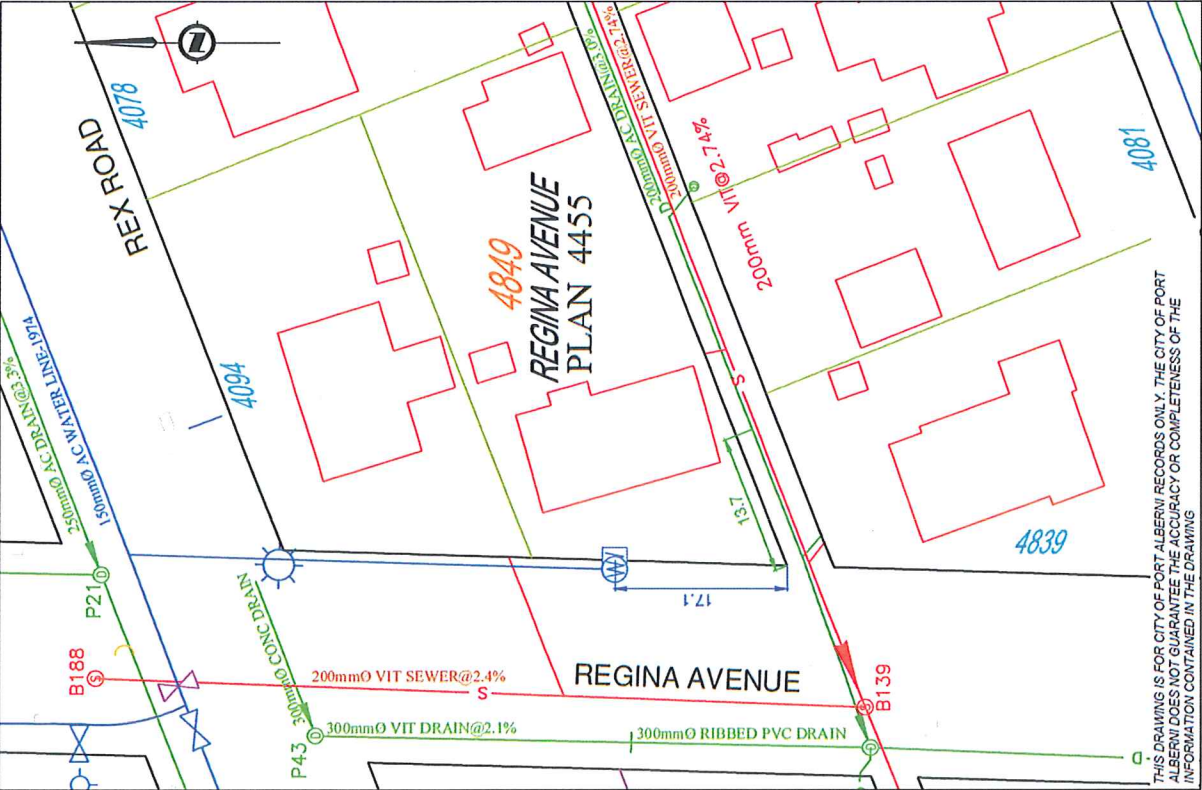
- (a) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single *family dwellings* having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement 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).

WATER & SEWER SERVICE CONNECTION RECORD

NOTE: Distances in metres unless otherwise shown

HOUSE # 4849	STREET # REGINA AVENUE	LOT # 17
DISTRICT LOT # 13	BLOCK # 4	PLAN # 4455
STORM	WATER	SEWER
INSTALLATION DATE UNKNOWN	INSTALLATION DATE JULY 29, 1960	INSTALLATION DATE JANUARY 22, 1963
CONNECTION DATE UNKNOWN	CONNECTION DATE JUNE 8, 2016	CONNECTION DATE JANUARY 22, 1963
SIZE mm - 100	SIZE mm COPPER 19	SIZE mm VIT 100
DIST. MAIN TO P/L - 0.9	DISTANCE FROM MAIN TO CURB STOP 51.2	LENGTH 2.0
RISE - -	CORP. STOP 19	RISE 1.8
FITTING AT MAIN - WYE	CURB STOP 19	FITTING AT MAIN WYE
BENDS - -	COUPLINGS -	BENDS 45.90
DEPTH AT P/L 1.2	REDUCER -	DEPTH AT P/L 1.4
DIST from D/S M.H. TO FITTING ON MAIN -	SHUT OFF DEPTH 0.55	DIST from D/S M.H. TO FITTING ON MAIN 37.3
MEASURED -13.7m E OF SW PROPERTY CORNER.	MEASURED -17.1m N OF SW PROPERTY CORNER. CONNECTED TO MAIN ON REX.	MEASURED -1.2m E OF EAST SIDE OF HOUSE.

NOTES:





CITY OF PORT ALBERNI

BYLAW NO. 4931

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. 20 (4849 Regina Avenue – Tsai), Bylaw No. 4931"**.

2. Zoning Amendment

2.1 That Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455, (PID 000-587-087), located at **4849 Regina Avenue**, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, is hereby rezoned from 'R1 - Single 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 14TH DAY OF FEBRUARY, 2017.

READ A SECOND TIME THIS 14TH DAY OF FEBRUARY, 2017.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2017.

READ A THIRD TIME THIS DAY OF , 2017.

APPROVED BY THE MINISTRY OF TRANSPORTATION THIS DAY OF ,2017

FINALLY ADOPTED THIS DAY OF , 2017.

Mayor

Clerk

Schedule "A" to Bylaw No. 4931



SUBJECT PROPERTY - 4849 REGINA AVENUE