

CITY OF PORT ALBERNI
PUBLIC HEARING AGENDA

Monday, May 30, 2016 at 5:00 pm in the City Hall Council Chambers

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

A1. Description of the Application *(City Clerk)*

This Public Hearing will proceed in three parts as follows:

Part A - Applicant: K. Ambrose, 3135 - 2nd Avenue

Part B - Applicant: D. Paquette, 4981 Ian Avenue

Part C - Applicant: R. Van Vliet, 5820 Pierce Road

Part A - Applicant: K. Ambrose, 3135 - 2nd Avenue
(background information copied on yellow colour paper)

K. Ambrose is applying to amend the text of the Zoning Bylaw to add "Public Market" as a permitted use in the C3 - Service Commercial Zone to facilitate the operation of a "Public Market" 3135 2nd Avenue.

The proposed bylaw is "Zoning Text Amendment T9 (3135 - 2nd Avenue K. Ambrose), Bylaw No. 4907".

A2. Background Information from the City Planner
Report dated May 20, 2016

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 City Planner or of the members of the public who may have spoken.)

B1. Description of the Application (City Clerk)

Part B - Applicant: D. Paquette, 4981 Ian Avenue

(background information copied on salmon colour paper)

D. Paquette is applying to amend the Zoning Bylaw to facilitate the subdivision of the property into 4 residential parcels.

The proposed bylaw is "Zoning Bylaw Map Amendment No. 13 (4981 Ian Avenue - D. Paquette), Bylaw No. 4908".

**B2. Background Information from the City Planner
Report dated May 24, 2016**

B3. Correspondence

Dana Paquette

Letter received May 20, 2016 requesting an extension of nine months before having to remove the house and shop on 4981 Ian Avenue.

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 City Planner or of the members of the public who may have spoken.)

C1. Description of the Application (City Clerk)

Part C - Applicant: R. Van Vliet, 5820 Pierce Road

(background information copied on tan colour paper)

R. Van Vliet is applying to amend the Zoning Bylaw to facilitate a subdivision of the property into 2 residential parcels.

The proposed bylaw is "Zoning Bylaw Map Amendment No. 14 (5820 Pierce Road - R. Van Vliet), Bylaw No. 4909".

- C2. Background Information from the City Planner**
Report dated May 20, 2016
- C3. Correspondence**
- C4. Late Correspondence Regarding the Matter** (To be read by the City Clerk)
- C5. Input from the Public regarding the Bylaw**
- C6. 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.)

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:

*Moved by _____, seconded by _____, that this
Public Hearing terminate at _____ pm.*

J:\Clerks\PublicHearing\2016\2ndAve_IanAve_PierceRd\Agenda_jmac.doc



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 30, 2016 at 5:00 pm** to hear representation about the following proposed bylaw:

A. "Zoning Text Amendment T9 (3135 2nd Avenue – K. Ambrose), Bylaw No. 4907"

APPLICANT: K. Ambrose - The applicant is applying to amend the text of the Zoning Bylaw to add 'Public Market' as a permitted use in the C3 – Service Commercial zone. The amendment will facilitate the operation of a "Public Market" at 3135 2nd Avenue. The amendment being considered is as follows:

A. Zoning Bylaw Text Amendment:

1. Applying to amend the text of Port Alberni Zoning Bylaw 2014, No. 4832 by
 - a. Adding the text "Public Market" under C3 – Service Commercial Section 5.20.1 Permitted Uses
 - b. By including the text "public market" under C3 Service Commercial Section 5.20.3(b) Conditions of the Use.

The purpose of the C3 Service Commercial zone is to establish and maintain areas for retail and service operations that are vehicle oriented or require large storage areas.

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 May 20, 2016 to May 30, 2016 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 20th day of May, 2016.

Scott Smith, City Planner





CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, Acting City Manager

FROM: Scott Smith, City Planner

DATE: May 20, 2016

SUBJECT: Development Application - Zoning Bylaw Text Amendment (3135 2nd Avenue)
Lot 18, Block 73, District Lot 1, Alberni District, Plan VIP197 (PID: 009-278-516)
Applicant: Keith Ambrose

Issue

To consider an application for an amendment to the text of the Zoning Bylaw for property for property located at 3135 2nd Avenue.

Background

The application is to amend the text of the Zoning bylaw to facilitate the operation of an open air public market on 3135 2nd Avenue. The property at 3135 2nd Avenue is vacant with some items stored at the upper area off the rear lane. The lower level fronting 2nd Avenue is proposed for the public market under temporary tents.

The definition of a 'Public Market' in the Zoning bylaw is "*a market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.*"

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan Schedule A - Future Land Use Map designation for **3135 2nd Avenue** is **currently General Commercial**. No amendment is required.
- b) The Zoning Bylaw designation for **3135 2nd Avenue** is **currently 'C3 – Service Commercial'**. A text amendment to the Zoning Bylaw is required to add Public Market as a permitted use in the C3 zone.

Discussion

Surrounding Area

The area is predominately commercial with a variety of commercial uses. There is currently some residential use on 3rd Avenue and new residential development is under construction or proposed for the wider uptown core area.

Zoning

'Public Market' is a permitted use in the W1 Waterfront Commercial, C2 General Commercial and the C7 Core Business zones.

No permanent structures are proposed for the Public Market however, the Building and Fire Codes have health and safety provisions, regarding temporary structures and public uses, that the Public Market will be required to meet.

Island Health has commented that they are supportive of the proposal provided the following are considered:

- Subject to the type of food products, vendors may be required to be in compliance with the Food Premises Regulations.
- The operator of the public market and the food vendors must follow the requirements laid out in the Guidelines for the Sale of Foods at Temporary Food Markets.

Status of the Application

At the April 21, 2016 meeting of the Advisory Planning Commission the following motion was carried:

- 1. That the Advisory Planning Commission recommends to City Council that the City proceed with an amendment to the text of the Zoning Bylaw to add 'Public Market' as a permitted use in the C3 – Service Commercial zone.*

At its May 9, 2016 regular meeting, City Council received the APC recommendation and gave 1st and 2nd reading to Zoning Text Amendment T9 (3135 2nd Avenue – K. Ambrose), Bylaw No. 4907.

Conclusions

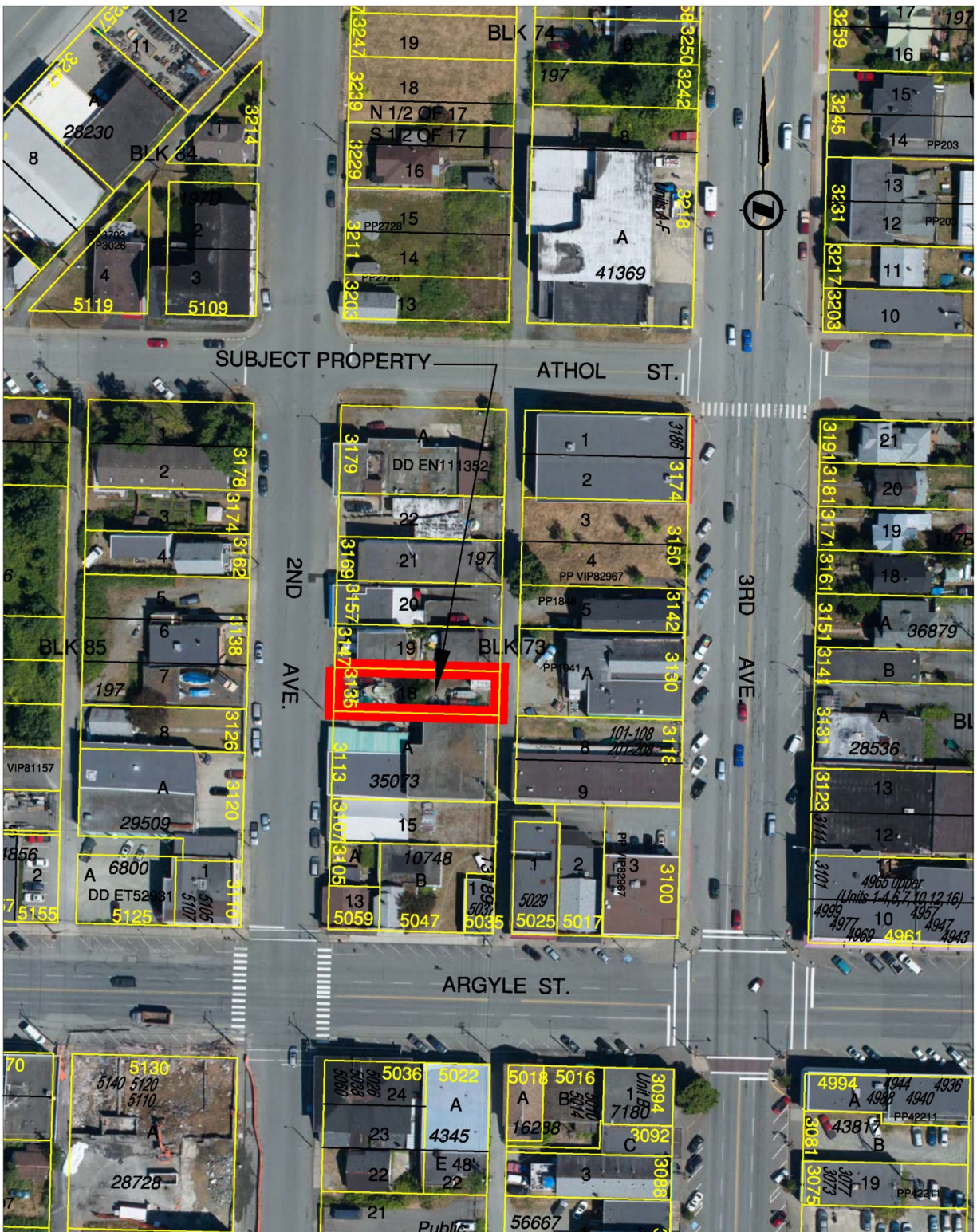
In considering the Zoning amendment, City Council should consider whether the proposed amendments are appropriate for the site and for the community.

The regulations of the Building Code, Fire Code, other City bylaws and the Health Authority will ensure the public market meets health and safety requirements. The Planning Department does not object to the Zoning bylaw amendment to add 'Public Market' as a permitted use in the C3 – Service Commercial zone.

Respectfully submitted,



Scott Smith, MCIP
City Planner

SUBJECT SITE – 3135 2nd Avenue



Bylaw 4832

C3 – SERVICE COMMERCIAL

5.20 The purpose of this *zone* is to establish and maintain areas for *retail* and service operations that are vehicle-oriented or require large storage areas.

5.20.1 Permitted usesPrincipal Uses

Ambulance station
Amusement establishment
 Appliances and electronics, sales and repair
Artist's studio
Automotive sales, repair and servicing
 Bakery
 Bank or other financial institution
 Boat or *recreational vehicle* sales and repair
Building supply
Cartage and delivery services
 Catering establishment
Club or lodge
Contractor's shop
 Custom woodworking
 Enclosed storage and warehousing, including mini storage
 Garden shop, nursery and *landscape* supplies
 Gasoline service station
 Glass shop
 Medical service
Office

Principal Uses (continued)

Pawn shop
Personal service
 Petroleum products, wholesale
Prefabricated buildings sales
 Printing, publishing and allied industry
 Recycling depot
 Restaurant, including drive-through
Retail
 Signs and displays industry
Transportation dispatch and depot
 Veterinary clinic
 Wholesale

Accessory Uses

Caretaker's *dwelling* unit, subject to Section 6.16
 Outdoor storage

Site Specific Uses:

Liquor, wine and beer store

5.20.2 Site Development Regulations

Minimum <i>Lot Area</i>	930 m ²	(10,011 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	75%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(9.84 ft)
<i>Side yard</i>	0 m	
Maximum Height, Principal <i>Building</i>	10 m	(32.8 ft)
Maximum Number of Principal <i>Building Storeys</i>	2	

Bylaw 4832

5.20.3 Conditions of Use

- (a) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*.
- (b) All industrial, business, repair or servicing *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or outdoor storage areas, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- (c) No *club* or *lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.

5.20.4 Site Specific Uses

The following *uses* shall be permitted on a site specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Liquor, Wine and Beer Store	3684 3rd Avenue	<i>Lot 1, District Lot 1, Alberni District, Plan EPP30558</i>

CITY OF PORT ALBERNI

BYLAW NO. 4907

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 Text Amendment T9 (3135 – 2nd Avenue – K. Ambrose), Bylaw No. 4907"**.

2. Zoning Text Amendment

Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended as follows:

- a) By adding the following text under C3 Service Commercial Section 5.20.1 Permitted Uses: "Public Market".
- b) By adding the following text under C3 Service Commercial Section 5.20.3(b) Conditions of the Use: "public market".

READ A FIRST TIME THIS 9TH DAY OF MAY, 2016.

READ A SECOND TIME THIS 9TH DAY OF MAY, 2016.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2016.

READ A THIRD TIME THIS DAY OF, 2016.

FINALLY ADOPTED THIS DAY OF , 2016.

Mayor

Clerk



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 30, 2016 at 5:00 pm** to hear representation about the following proposed bylaw:

A. "Zoning Bylaw Map Amendment No. 13 (4981 Ian Avenue - D. Paquette), Bylaw No. 4908".

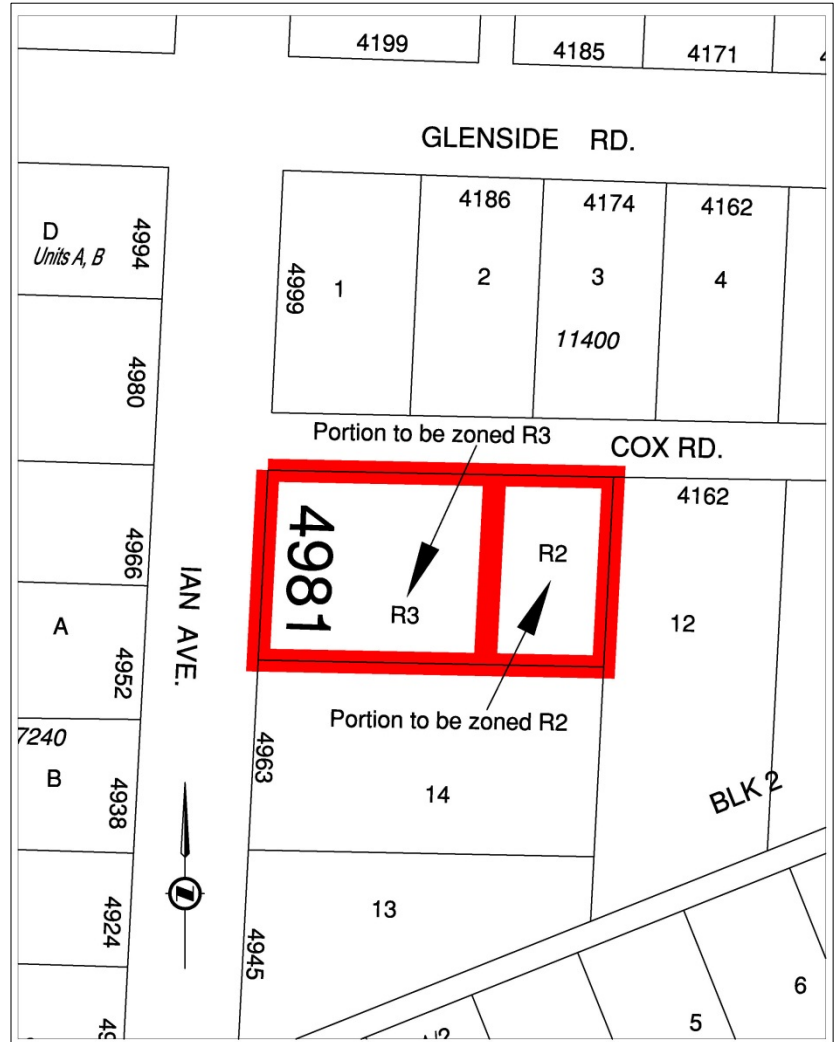
APPLICANT: D. Paquette - The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision of the property into 4 residential parcels. The amendment being considered is as follows:

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 15, Block 2, District Lot 13, Alberni District, Plan VIP4455 (PID: 001-609-971), located at **4981 Ian Avenue**, as shown outlined on the map below, from 'R1 Single Family Residential' to a mix of 'R2 One and Two Family Residential' and 'R3 Small Lot Single Family Residential' as shown on the map beside.

The general purpose of the R2 One and Two Family Residential zone is to establish and maintain quiet, low density neighbourhoods featuring single family and two family dwellings.

The general purpose of the R3 Small Lot Single Family Residential zone is to provide for greater density in areas of the city that are being redeveloped and where small lots already exist.



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 May 20, 2016 to May 30, 2016 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 20th day of May, 2016.

Scott Smith, City Planner



CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, Acting City Manager

FROM: Scott Smith, City Planner

DATE: May 24, 2016

SUBJECT: Development Application - Zoning Bylaw Amendment
4981 Ian Avenue - Lot 15, Block 2, District Lot 13, Alberni District, Plan VIP4455
(PID: 001-609-971)
Applicant: D. Paquette

Issue

To consider an application for an amendment to the Zoning Bylaw (Schedule A – Zoning Map) for property located at 4981 Ian Avenue.

Background

The subject parcel is a rectangular corner lot. The east facing frontage on Ian Avenue is 33.5 m (110 ft.) and the north facing lot line measures 61 m (200 ft.) along Cox Rd. An older, 2 storey, single family dwelling is located on the lot and will be required to be demolished as a condition of the rezoning. The purpose of the application is to rezone the lot to facilitate a subdivision that would create three small residential lots and one larger lot appropriate for a duplex.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan Schedule A - Future Land Use Map designation for 4981 Ian Avenue is currently 'Residential'. No map amendment is required. The site is not included in a Development Permit Area.
- b) The Zoning Bylaw designation for 4981 Ian Avenue is currently 'R1 – Single Family Residential'. A map amendment to the Schedule A - Zoning Bylaw Map is required to designate the property as a mix of '**R2 – One and Two Family Residential**' and '**R3 – Small Lot Single Family Residential**'.

Discussion

Surrounding Area

The area is primarily residential to the north, south, east and west. There are several duplex residences in the area with mostly single family homes and a church located about one block away on Glenside Rd.

Zoning

The applicant proposes to create three small single family lots and a fourth lot appropriate for a duplex. The current R1 Single Family Residential zone requires a larger minimum lot size than those proposed for the site and does not permit a duplex.

The R3 Small Lot Single Family Residential zone has gained popularity in the real estate market in recent years. From a Planning perspective the smaller lot size allows for higher density while still maintaining the single family character that is prevalent in the neighbourhood. Small lots give people, who do not want to or are unable to maintain a large property, more housing options. Smaller lots can also be advantageous for seniors or persons with mobility limitations who wish to remain independent. The R3 zone is appropriate for the neighbourhood.

R3 Zone

Proposed Lot	A	B	C
Min Area required = 350 m ²	434 m ²	434 m ²	475 m ²
Min Frontage Required = 10 m	16.8 m	16.8 m	14.2 m

R2 Zone

Proposed Lot	D
Min Area required = 700 m ²	700 m ²
Min Frontage Required = 20 m	20.9 m

The proposed site subdivision shows three lots exceeding the minimum property area and frontage required in the R3 zone. Two of the smaller lots (A and B) will face Ian Avenue and one small lot (C) will face Cox Rd. The portion of the site covered by the fourth lot in the proposed subdivision (Lot D) meets the minimum area and frontage requirements for a two family dwelling and the applicant is requesting that it be zoned R2 One and Two Family Residential.

Infrastructure

There are City water and sanitary sewer services available along both Ian Avenue and Cox Road. Storm sewer is available along Ian Avenue. A right-of-way to provide storm sewer connections to Ian Avenue for proposed Lot C and the proposed R2 lot may be required.

Ian Avenue is designated as a collector road in the OCP and has sidewalks on both sides. Cox Road is fairly narrow, with an asphalt curb along the length of the subject property. Changes to the curbing may be necessary, depending on the lot grading on the new lots.

Private utilities are located along both Ian Avenue and Cox Road to provide service to the new lots.

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

Demolition of existing structures

The applicant has submitted a letter requesting that City Council not require the demolition of the existing structures as a condition of final approval for the rezoning. The applicant is requesting nine months before the existing structures are demolished.

The Approving Officer cannot approve a subdivision if any existing structures sit over a proposed property line. All existing structures must also meet any required setbacks when subdividing. A site survey showing all existing structures would be required as part of the subdivision process to determine if this would be an issue.

If City Council does not want to require demolition as a condition of rezoning, it is recommended that a restrictive covenant be placed on title restricting any sale of property until the existing structures are demolished.

Status of the Application

At the April 21, 2016 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 Schedule A Zoning Bylaw Map to rezone Lot 15, Block 2, District Lot 13, Alberni District, Plan VIP4455 (PID: 001-609-971), located at 4981 Ian Avenue, from 'R1 Single Family Residential' to a mix of 'R3 Small Lot Single Family Residential and R2 One and Two Family Residential' as outlined on the attached site plan concept.*
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.*
 - b) *That the existing buildings on the property be demolished prior to adoption of the zoning bylaw amendment.*

At its May 9, 2016 regular meeting, City Council received the APC recommendations and gave 1st and 2nd reading to Zoning Bylaw Map Amendment No. 13 (4981 Ian Avenue – D. Paquette), Bylaw No. 4908.

Conclusions

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

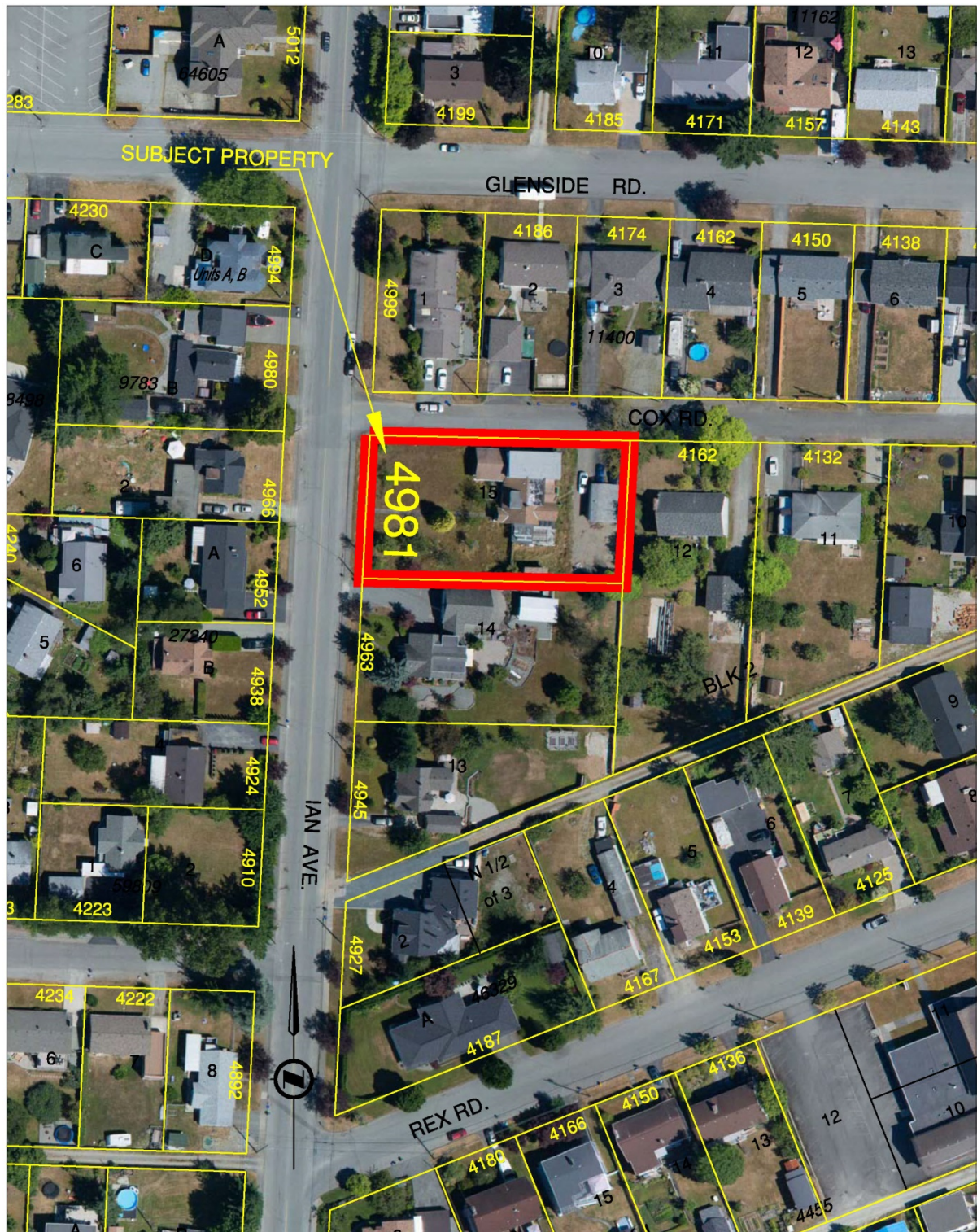
The R3 Small Lot Single Family Residential and R2 One and Two Family Residential zones allow for slightly increased density while maintaining a lower density residential character in the neighbourhood. The Official Community Plan is supportive of encouraging development within existing developed areas 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 R2 and R3 zones.

Respectfully submitted,



Scott Smith, MCIP
City Planner

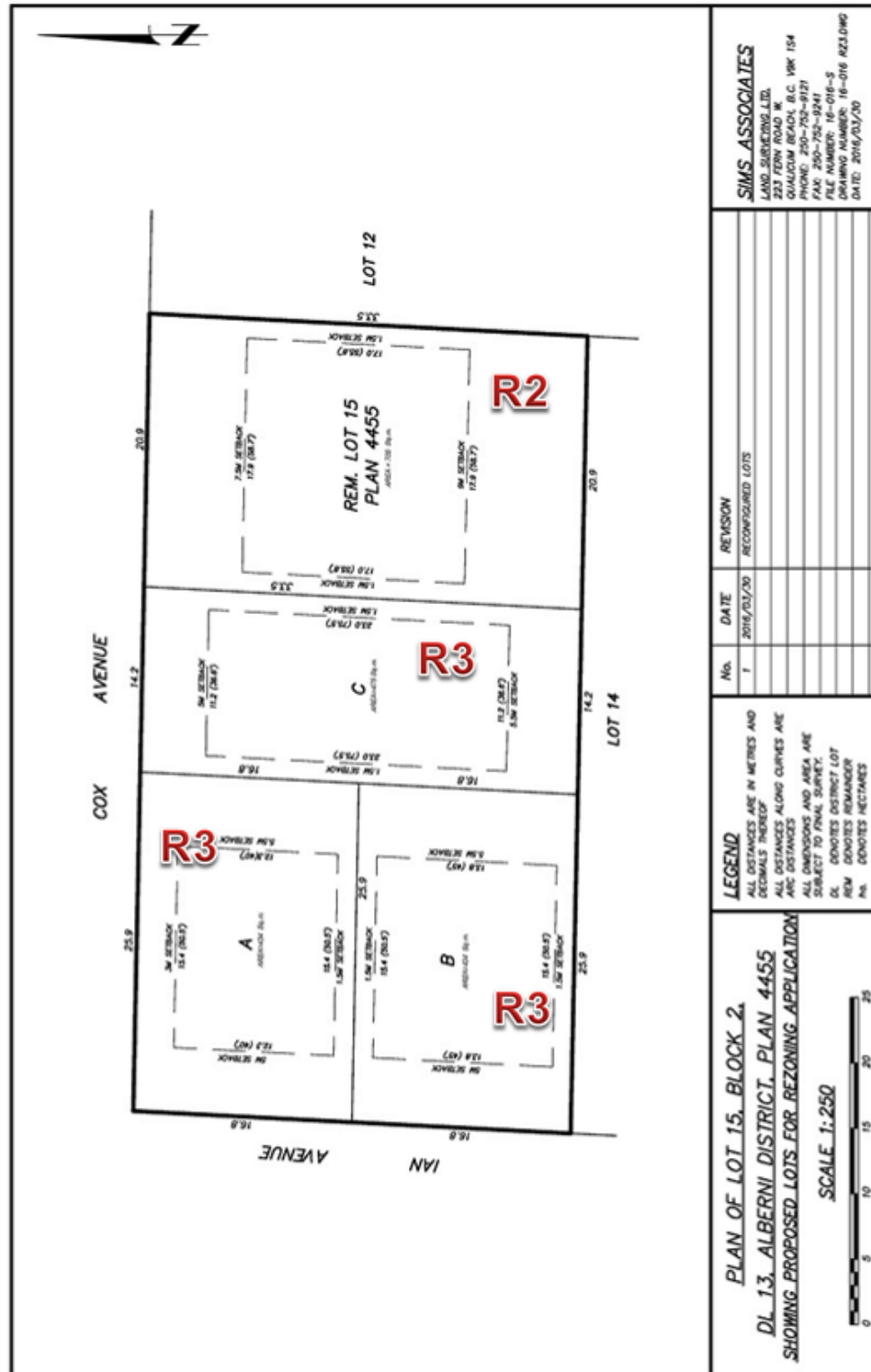
SUBJECT SITE – 4981 Ian Avenue







SITE PLAN CONCEPT



Bylaw 4832

R2 – ONE AND TWO FAMILY RESIDENTIAL

5.12 The purpose of this *zone* is to establish and maintain quiet, low density neighbourhoods featuring single *family* and two *family* dwellings.

5.12.1 Permitted usesPrincipal UsesSingle *family* dwellingTwo *family* dwellingAccessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.12.2 Site Development RegulationsMinimum *Lot Area*Single *family* dwelling 500 m² (5,382 ft²)Single *family* dwelling with *secondary suite* 600 m² (6,458 ft²)Two *family* dwelling 700 m² (7,535 ft²)Minimum *Frontage*Single *family* dwelling 15 m (49.2 ft)Single *family* dwelling with *secondary suite* 15 m (49.2 ft)Two *family* dwelling 20 m (65.6 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 *Floor Area Ratio*

0.5

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

5.12.3 Conditions of Use

(a) Notwithstanding the provisions of 5.12.2:

(i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.(ii) 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).

Bylaw 4832

- (c) Only one of the three (3) following *accessory uses* is permitted on any *lot*:
bed and breakfast OR *secondary suite* OR *supportive housing*.
- (d) Notwithstanding any other provisions of this bylaw, *secondary suites* are not permitted in a duplex.
- (e) Notwithstanding Section 5.12.1, on *lots* less than 500 m² in area that exist prior to the adoption of this Bylaw, single *family dwelling* is the only permitted *use*.

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).

CITY OF PORT ALBERNI

BYLAW NO. 4908

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. 13 (4981 Ian Avenue - D. Paquette), Bylaw No. 4908"**.

2. Zoning Amendment

2.1 That Lot 15, Block 2, District Lot 13, Alberni District, Plan VIP4455 (PID: 001-609-971), located at **4981 Ian Avenue**, is hereby rezoned from 'R1 Single Family Residential' to a mix of **'R3 Small Lot Single Family Residential and R2 One and Two Family Residential'** as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw.

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 9TH DAY OF MAY, 2016.

READ A SECOND TIME THIS 9TH DAY OF MAY, 2016.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2016.

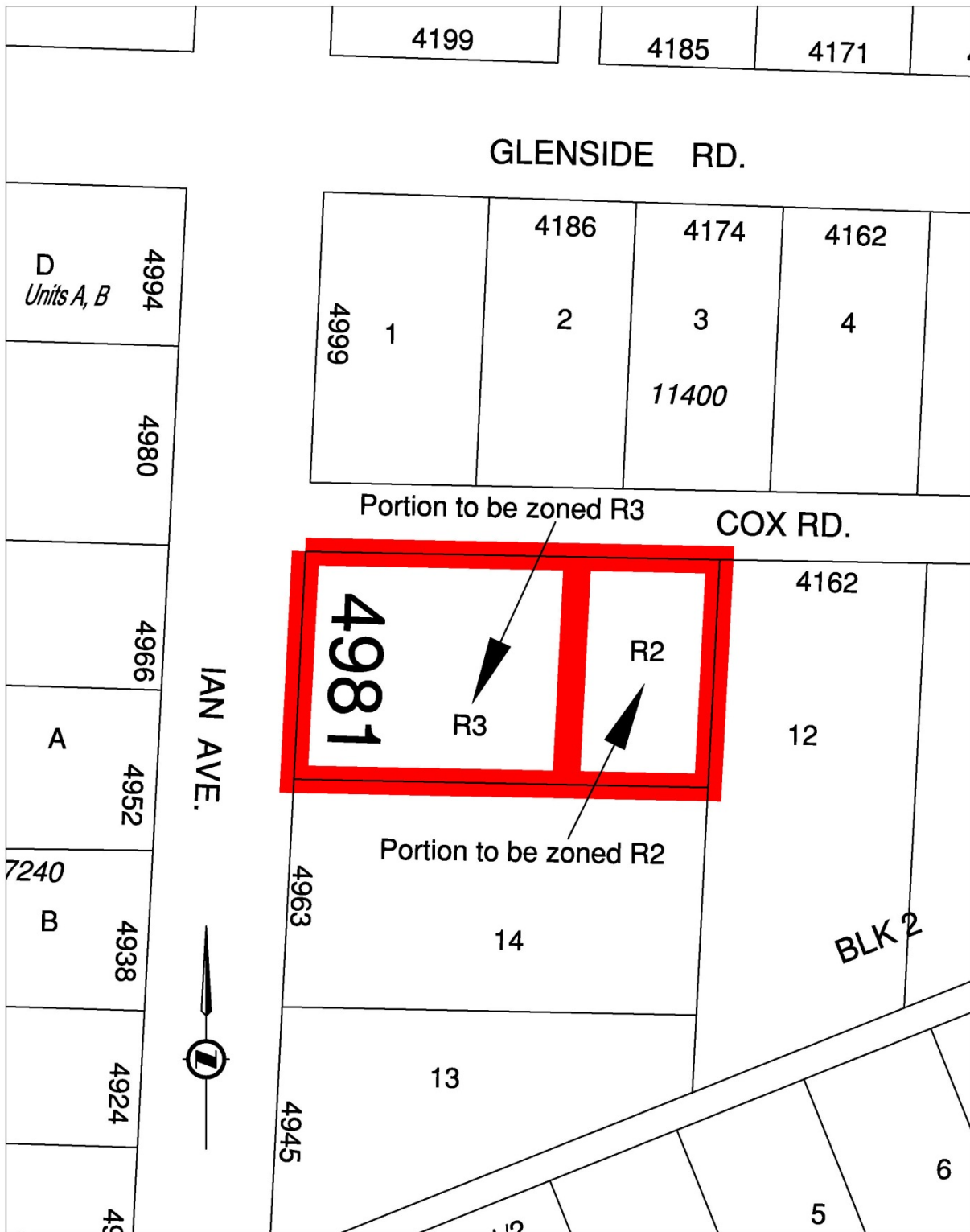
READ A THIRD TIME THIS DAY OF, 2016.

FINALLY ADOPTED THIS DAY OF , 2016.

Mayor

Clerk

Schedule "A" to Bylaw No. 4908





PROPOSAL FOR 4981 IAN AVE

Signed GOOD DAY LADIES AND GENTLEMEN OF THE COUNCIL

AS YOU KNOW I AM PROPOSING A ZONING CHANGE THAT WILL ALLOW MY COMPANY TO BUILD FOUR UNITS ON THE CORNER OF COX AND IAN.

BY DOING SO IT WILL CLEAN UP THE NEIGHBORHOOD AS I WILL BE TEARING DOWN THE RUN DOWN HOUSE AS WELL AS THE SHOP THAT ARE CURRENTLY ON THE PARCEL.

I WOULD LIKE TO ASK OF YOU TO GIVE MY COMPANY AN EXTENSION OF NINE MONTHS BEFORE I HAVE TO REMOVE THE HOUSE AND SHOP.

BY ALLOWING ME TO DO THIS IT WILL GIVE ME TIME TO BUILD ON THE TWO SMALLER LOTS FACING IAN AVE.

THE REASON FOR ALLOWING ME THAT TIME WILL BE BOTH BENEFICIAL TO ME AS WELL AS THE SURROUNDING NEIGHBORS.

THE REASONS BRING ARE AS FOLLOWS:

THE HOUSE HAS POWER AND THE SHOP RUNS OFF OF THE HOUSE.

I PLAN ON BUILDING TWO RANCHERS AT THE SAME TIME: FRONTING IAN AVE

ENTERED

BY DOING THIS I WILL HAVE ALOT OF MATERIALS!

BY ALLOWING MY COMPANY TO HAVE AN EXTENSION I WILL AS FOLLOWS!

BE ABLE TO RUN POWER FROM THE HOUSE TO MY WORK SITE WHICH WILL SAVE THE NEIGHBORS FROM HAVING TO LISTEN TO GENERATORS ALL DAY EVERYDAY.

ALSO IT WILL GIVE ME A PLACE TO STORE MY TOOLS AS WELL AS MATERIALS.

ALSO WINTER WILL BE APPROACHING BY THE TIME I START FINISHING SO THE SHOP WILL ALLOW ME A DRY PLACE TO PAINT AND WORK ON PROJECTS TO SPEED UP THE BUILDING PROCESS.

THANK YOU VERY MUCH FOR YOUR TIME

DANA PAQUETTE



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 30, 2016 at 5:00 pm** to hear representation about the following proposed bylaw:

A. "Zoning Bylaw Map Amendment No. 14 (5820 Pierce Road – R. Van Vliet), Bylaw No. 4909".

APPLICANT: R. and D. Van Vliet - The applicant is applying to amend the Zoning Bylaw to facilitate a subdivision of the property into 2 residential parcels. The amendment being considered is as follows:

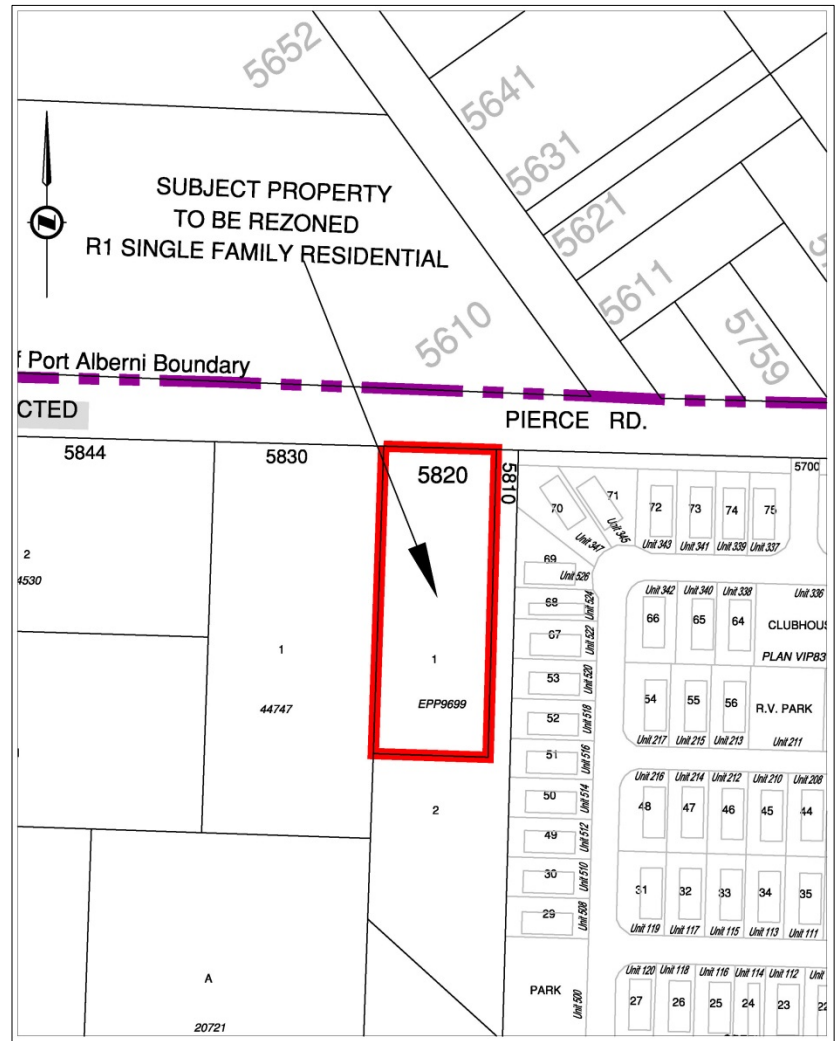
A. Zoning Bylaw Map Amendment:

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 1, District Lot 21, Alberni District, Plan EPP9699 (PID: 028-501-250), located at **5820 Pierce Road**, as shown outlined on the map below, from 'RR1 Rural Residential to 'R1 Single Family Residential' as shown on the map beside.

The purpose of the R1 Single Family Residential zone is to establish and maintain quiet, low density neighbourhoods.

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 May 20, 2016 to May 30, 2016 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 20th day of May, 2016.
Scott Smith, City Planner





CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, Acting City Manager

FROM: Scott Smith, City Planner

DATE: May 20, 2016

SUBJECT: DEVELOPMENT APPLICATION - Proposed Zoning Bylaw Amendment
5820 Pierce Road
Lot 1, District Lot 21, Alberni District, Plan EPP9699 (PID: 028-501-250)
Applicant: R. and D. Van Vliet

Issue

To consider an application for an amendment to the Zoning Bylaw (Schedule A – Zoning Map) for property located at 5820 Pierce Road.

Background

A large property was subdivided in 2011 to create the panhandle Lot 2 (5810 Pierce Road), with an existing house located on Lot 1 (see subdivision Plan EPP9699). The house on 5820 Pierce Road (Lot 1) was destroyed by fire and demolished. The new owner wishes to subdivide 5820 Peirce Road into two parcels (see attached Conceptual Site Plan). Proposed Lot A will have a frontage (36.7 m) on Pierce Rd. The proposed Lot B will be a second panhandle lot (with a small frontage on Pierce Road). The purpose of the application is to amend the Zoning Bylaws to facilitate the proposed subdivision of the land.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan Schedule A - Future Land Use map designation for 5820 Pierce Road is **currently Residential**. No map amendment is required.
- b) The Official Community Plan Schedule B – Development Permit Areas map does not include the property in a Development Permit Area. No amendment is required.
- c) The Zoning Bylaw designation for 5820 Pierce Road is currently 'RR1 – Rural Residential'. An amendment to the Schedule A - Zoning Bylaw map is required to designate the property as '**R1 – Single Family Residential**'.

Discussion

Surrounding Area

- o North – The north frontage of the property faces onto Pierce Road and the City of Port Alberni boundary. Across Pierce Road the land use is primarily residential and many lots are larger and rural in character.
- o East – Adjacent to the site is a mobile/modular home (Creeks Edge) development of 93 sites and also takes in a mobile home park (Sunrise Estates) containing an additional 75 sites. Although the modular home has not been substantially developed the property will eventually be a higher density residential area and the portion called Sunrise Estates is currently full.
- o South – There is a residential lot immediately adjacent to the south and also the Lugin Creek ravine and greenspace. Private properties along the Lugin Creek are larger and rural in nature.
- o West – Adjacent to the west are two larger rural lots, Lugin Creek and a large tract of City owned land which the creek runs through. The north portion of the City land will likely remain natural greenspace and residential development may take place on the southern portion.

Zoning

The current 'RR1 Rural Residential' zone requires a minimum lot size of 4000 m² and a minimum frontage of 40 m. In order to proceed with the proposed subdivision the applicant is requesting that the property be rezoned to 'R1 Single Family Residential'. The proposed lots will easily meet the Minimum Area requirements in the R1 zone.

R1 Zone	Required	Proposed Lot 1	Proposed Lot 2 (Panhandle Lot)
Minimum Area	600 m ²	2034.8 m ²	2076 m ²
Minimum Frontage	15 m	36.6 m	See below
Minimum Frontage for each of two adjacent panhandle parcels.	12 m		4 m (becoming 12m via easement agreement with owner of the adjacent panhandle parcel, 5810 Pierce Road. (Lot 2, Plan EPP9699))

Access

The proposed Lot A will have frontage and access available from Pierce Rd. The proposed Lot B will become a panhandle lot with access off Pierce Rd. As part of the subdivision, the applicant, and the owner of the current panhandle lot (5810 Pierce Road), shall be required to have an easement registered on title of both properties to provide access to both the existing and proposed panhandle lots. The width of a double panhandle is required to be 12 metres.

Infrastructure

A City water line is located along Pierce Road and can provide service for the two proposed lots. There is one existing water service connection that can be used for the proposed Lot B. The sanitary sewer service is available from the south part of the property through a right-of-way. A new storm sewer connection may also be possible through the sanitary sewer right-of-way. Additional right-of-ways will be required for both water and sanitary services.

Private utilities are available from Pierce Road. Hydro and TELUS have existing right-of-ways over the property. These right-of-ways may need to be modified and a new pole may be required.

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 April 21, 2016 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 Schedule A Zoning Bylaw Map to rezone Lot 1, District Lot 21, Alberni District, Plan EPP9699 (PID: 028-501-250), located at 5820 Pierce Road, from 'RR1 – Rural Residential' to '**R1 – 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 a proposed subdivision from the City of Port Alberni's Approving Officer.*

At its May 9, 2016 regular meeting, City Council received the APC recommendations and gave 1st and 2nd reading to Zoning Bylaw Map Amendment No. 14 (5820 Pierce Road – R. VanVliet), Bylaw No. 4909.

Conclusions

In considering the Zoning amendment, City Council should consider whether the proposed amendment is appropriate for the site and for the 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. The Planning Department supports the Zoning bylaw amendments for 5820 Pierce Road.

Respectfully submitted,



Scott Smith, MCIP
City Planner





PLANUPDATE

SUBDIVISION PLAN OF LOT A, DISTRICT LOT 21,
ALBERNI DISTRICT, PLAN 23177.

EPP9699

BCGS 92F.026



The intended plot size of this plan is 280mm in width by 432mm in height. (B size) when plotted at a scale of 1 : 750.

LEGEND: —

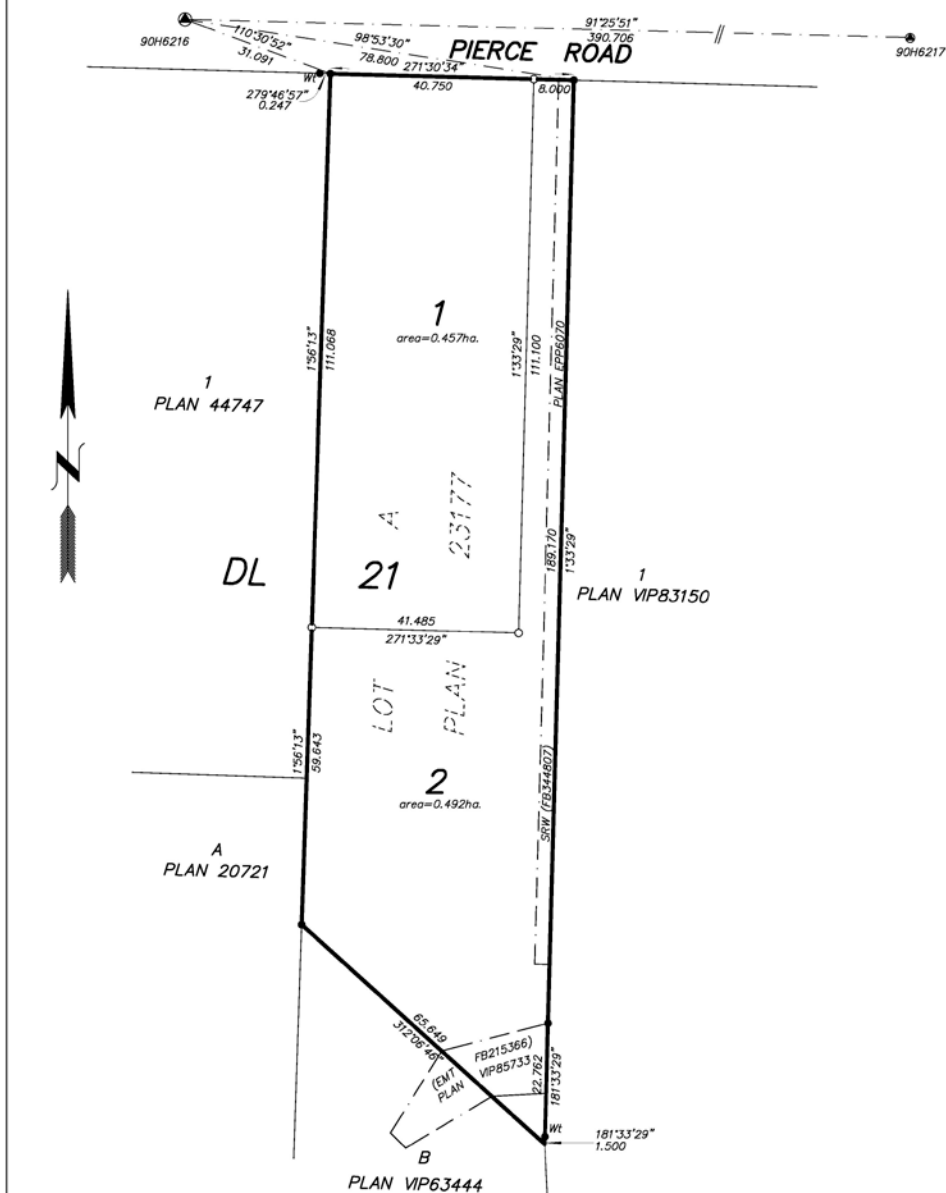
- LEGEND: -
- denotes Standard Iron Post Placed.
 - denotes Standard Iron Post found.
 - ⊙ denotes Control Monument found.
 - SRW denotes Statutory Right of Way.
 - FMT denotes easement.

All distances hereon are in metres.

Integrated Survey Area No. 37, City of Port Alberni, NAD83(CSRS)
Grid bearings are derived from observations between geodetic control
monuments 90H6216 and 90H6217
This plan shows horizontal ground-level distances except where otherwise
noted. To compute grid distances, multiply ground-level distances by
combined factor 0.9998179.

NOTE: —

NOTE:—
This plan shows one or more witness posts which are not set on the true corner.
Unless otherwise shown, witness posts are set on the property line or the production thereof.



A covenant in the name of the City of Port Alberni pursuant to Section 219 is a condition of approval for this subdivision.

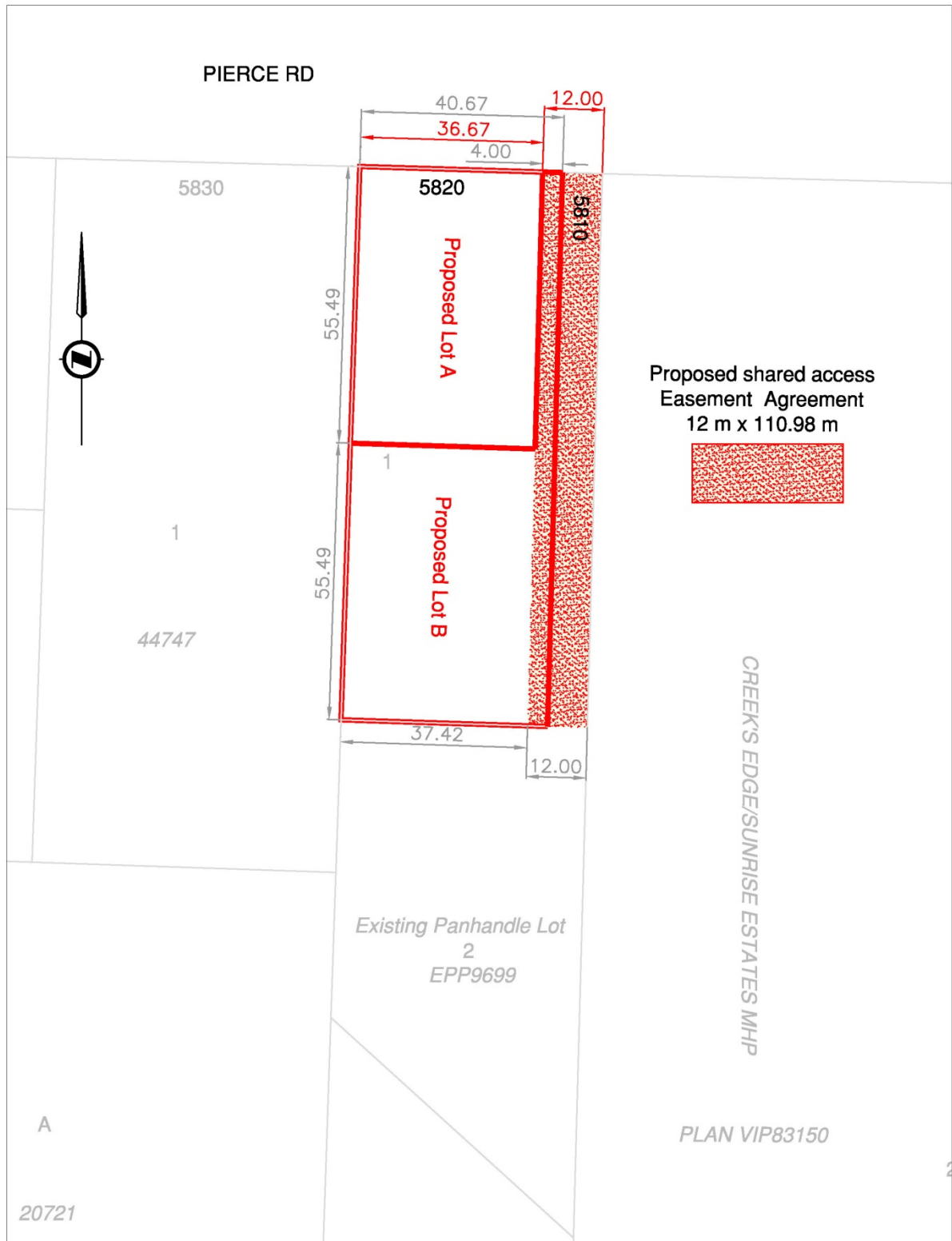
This plan lies within the jurisdiction of the Approving Officer for the City of Port Alberni.

This plan lies within the Alberni-Clayoquot Regional District

ACRES & POLLOCK,
B.C. LAND SURVEYORS,
PORT ALBERNI, B.C.,
PHONE: - 250 723 5412,
EMAIL: - apbcls@shaw.ca,
FILE: - 15669

The field survey represented by this plan was completed by
David Michael Pollock, BCLS on the 29th day of OCTOBER, 2010.

Conceptual – Site Plan



Bylaw 4832

R1 – SINGLE FAMILY RESIDENTIAL

5.11 The purpose of this *zone* is to establish and maintain quiet, low density neighbourhoods.

5.11.1 Permitted uses

Principal Uses

Single family dwelling

Accessory Uses

Bed and breakfast

Home occupation

Secondary suite

Supportive housing

5.11.2 Site Development Regulations

Minimum Lot Area	600 m ²	6458 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 Floor Area Ratio	0.5	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	
Maximum number of dwelling units per lot	2	

5.11.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.11.2:
 - (i) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.5 metres (11.5 ft) wide.
 - (ii) 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*.

CITY OF PORT ALBERNI

BYLAW NO. 4909

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. 14 (5820 Pierce Road – R. Van Vliet), Bylaw No. 4909**".

2. Zoning Amendment

That Lot 1, District Lot 21, Alberni District, Plan EPP9699 (PID: 028-501-250), located at **5820 Pierce Road**, is hereby rezoned from 'RR1 – Rural Residential' to '**R1 – Single Family Residential**' as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw.

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 9TH DAY OF MAY, 2016.

READ A SECOND TIME THIS 9TH DAY OF MAY, 2016.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2016.

READ A THIRD TIME THIS DAY OF, 2016.

FINALLY ADOPTED THIS DAY OF , 2016.

Mayor

Clerk

[illegible]