

CITY OF PORT ALBERNI
PUBLIC HEARING AGENDA

Monday, April 11, 2016 at 6:00 pm in the City Hall Council Chambers

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

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)*

This Public Hearing will proceed in two parts as follows:

Part A - Applicant: C. Bowerman for Burde Street – Phase 2 of Uplands Subdivision

Part B - Applicant: Dave Beecroft as agent for L. Terryberry for 3532 – 4th Avenue

Part A - Applicant: C. Bowerman, Development Application for Burde Street - Phase 2 of Uplands Subdivision

C. Bowerman is applying to amend the Official Community Plan and the Zoning Bylaw to facilitate the subdivision of the property into approximately 67 residential parcels.

The proposed bylaws are:

“Official Community Plan Amendment No. 19 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4899”

“Zoning Text Amendment T8 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4900”

“Zoning Map Amendment No. 11 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4901”

A2. Background Information from the City Planner

A3. Correspondence

A4. Input from the Public regarding the Bylaw

A5. Late Correspondence Regarding the Matter (To be read by the City Clerk)

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.)

Part B - Applicant: Dave Beecroft as agent for L. Terryberry for 3532 - 4th Avenue

B1. Description of the Application *(To be read by the Clerk)*

Dave Beecroft as agent for L. Terryberry is applying to amend the Official Community Plan and the Zoning Bylaw to facilitate the re-construction of a single family dwelling.

The proposed bylaws are:

“Official Community Plan Amendment No. 20 (3532 – 4th Avenue – D. Beecroft), Bylaw No. 4902”

“Zoning Bylaw Map Amendment No. 12 (3532 – 4th Avenue – D. Beecroft), Bylaw No. 4903”

B2. Background Information from the City Planner

B3. Correspondence

B4. Input from the Public regarding the Bylaw

B5. Late Correspondence Regarding the Matter (To be read by the City Clerk)

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.)

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

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:

*Moved by _____, seconded by _____, 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, April 11, 2016 at 6:00 pm** to hear representation about the following proposed bylaw:

- A. "Official Community Plan Amendment No. 19 (Burde Street - Phase 2 of Uplands Subdivision), Bylaw No. 4899"
- B. "Zoning Text Amendment T8 (Burde Street - Phase 2 of Uplands Subdivision), Bylaw No. 4900"
- C. "Zoning Map Amendment No. 11 (Burde Street - Phase 2 of Uplands Subdivision), Bylaw No. 4901"

APPLICANT: C. Bowerman - The applicant is applying to amend the Official Community Plan and the Zoning Bylaw to facilitate the subdivision of the property into approximately 67 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 **Lots B and C**, District Lot 48, Alberni District, Plan VIP68122 (PID's: 024-356-701, 024-356-719), located on Burde Street; from a mix of 'Future Residential Use' and 'Parks and Open Space Use' to a mix of '**Residential Use**' and '**Parks and Opens Space Use**' as shown on the map below.

B. Zoning Bylaw Text Amendment:

- 1. Applying to amend the text of Port Alberni Zoning Bylaw 2014, No. 4832 by adding the following text under a new Section 8:

"8. Comprehensive Development Zones

Comprehensive Development zones are usually site specific and often create a package of Zoning standards unique to that site.

CD1 – Comprehensive Development -Uplands Phase 2 – Burde Street

- 8.1 The purpose of this zone is to provide for varying lot sizes, for single family dwellings, and to retain and preserve the environmentally sensitive area of the site.

8.1.1 Permitted Uses

Principal Uses

*Single family dwelling
Parks and playgrounds
Natural areas*

Accessory Uses

*Bed and breakfast
Home occupation
Secondary suite
Supportive housing*

8.1.2 Site Development Regulations

Minimum Lot Area

Single family dwelling	350 m ²	(3,767 ft ²)
Single family dwelling with <i>Bed and breakfast</i>	600 m ²	(6,458 ft ²)
Single family dwelling with <i>Secondary suite</i>	600 m ²	(6,458 ft ²)
Single family dwelling with <i>Supportive housing</i>	600 m ²	(6,458 ft ²)

Minimum Frontage

Single family dwelling	10 m	(32.8 ft)
Single family dwelling with <i>Bed and breakfast</i>	15 m	(49.2 ft)
Single family dwelling with <i>Secondary suite</i>	15 m	(49.2 ft)
Single family dwelling with <i>Supportive housing</i>	15 m	(49.2 ft)

Minimum Setbacks

<i>Front Yard</i>	7.5 m	(24.6 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.0 m	(16.4 ft)
<i>Rear Yard</i>	9.0 m	(29.5 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.5 m	(18.0 ft)
<i>Side Yard</i>	1.5m	(4.9 ft)

Maximum Coverage

OR on lots less than 600 m ² (6,458 ft ²)	40%
	50%

Maximum Floor Area Ratio

0.5 m

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

OR on lots less than 600 m² (6,458 ft²) 1

8.1.3 Conditions of Use

a) Notwithstanding the provisions of 8.1.2:

- 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 metres (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.
- d) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a highway other than a lane is 5.8 metres (19 ft.).
- e) The Principal Uses 'Parks and Playgrounds' and 'Natural areas' are permitted only on property owned by the City of Port Alberni."

8.1.4 Fencing and Signage of Environmentally Sensitive Areas

- a) A minimum fence height of 1.8 m (6ft) shall be required along all residential property boundaries adjacent to environmentally sensitive areas and shall be designed to protect those areas.
- b) Facing each residential lot, standard signage shall be required to identify environmentally sensitive areas."

C. 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 B and C, District Lot 48, Alberni District, Plan VIP68122 (PID's: 024-356-701, 024-356-719), located on Burde Street, as shown outlined on the map below, from a mix of 'C1 Neighbourhood Commercial', 'R1 Single Family Residential', 'R2 One and Two Family Residential', 'RM3 Higher Density Multiple Family Residential', 'MH1 Mobile and Modular Homes' and 'P2 Parks and Recreation' to **'CD1 – Comprehensive Development - Uplands Phase 2 – Burde Street'**.

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 April 1, 2016 to April 11, 2016 during regular business hours (8:30 a.m. to 4:30 p.m.).

DATED AT PORT ALBERNI, B.C. this 1st day of April, 2016.
 Scott Smith, City Planner

Properties to be zoned 'CD1 - Comprehensive Development -Uplands Phase 2- Burde Street'

BURDE ST.

Lot B
PLAN 68122
'Residential'

Site to be designated 'Residential' and 'Parks and Open Space' in the Official Community Plan

Lot C
PLAN 68122
'Residential'

'Parks and Open Space'

SWODERN LANE

Dry Creek Ravine D

REM. D.L. 48

creek



CITY OF PORT ALBERNI

PLANNING DEPARTMENT PUBLIC HEARING REPORT

TO: Tim Pley, Acting City Manager

FROM: Scott Smith, City Planner

DATE: April 6, 2016

SUBJECT: Development Application – Official Community Plan and Zoning Bylaw Map Amendments - Burde Street
Lots B and Lot C, District Lot 48, Alberni District, Plan VIP68122
PID: (Lot B - 024-356-701) (Lot C – 024-356-719)
Applicant: Craig Bowerman as Agent for 0853224 BC Ltd.

Issue

To consider an application for amendments to the Official Community Plan Bylaw (Schedule A – Land Use Map) and the Zoning Bylaw (Schedule A – Zoning Map) for two properties located on Burde Street.

Background

The site consists of two legal parcels on the south side of Burde Street, across from the Redford Ponds area. The first property is 2.32 hectares (Lot B) and the second is 5.02 hectares (Lot C) for a total site area of 7.34 hectares (18.1 acres). The site is currently vacant and is mostly bush and small trees. There is a significant environmental wetland and creek area on the East side of the property that drains into Dry Creek. There is an existing gravel trail along the top of Dry Creek that connects to the Log Train trail.

The application is to amend the OCP Bylaw and the Zoning Bylaw in order to facilitate a subdivision application. The proposal is the second phase of the Uplands subdivision (see attached concept plan) and would subdivide the property into 67 parcels.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation for Lot B, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-701), located at Burde Street; is designated as Future Residential Use on the Official Community Plan Schedule A – Land Use Map. A map amendment is required to designate the property as **Residential Use**.
- b) The Official Community Plan designation for Lot C, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-719), located at Burde Street; is designated as a mix of 'Future Residential Use' and 'Parks and Open Space Use' on the Official Community Plan Schedule A – Land Use Map. A map amendment is required to designate the property as a mix of '**Residential Use**' and '**Parks and Open Space Use**'.

- c) The Official Community Plan Schedule B – Development Permit Areas Map does not include Lot B and Lot C in any Development Permit Area. No map amendment is required.
- d) The Zoning Bylaw designation for Lot B, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-701), located at Burde Street; is **currently** a mix of 'C1 Neighbourhood Commercial', 'R1 Single Family Residential' and 'R2 One and Two Family Residential'. A map amendment to the Schedule A - Zoning Bylaw Map is required to designate the property to a **'CD -1 Comprehensive Development zone'**.
- e) The Zoning Bylaw designation for Lot C, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-719), located at Burde Street; is **currently** a mix of 'RM3 Higher Density Multiple Family Residential', 'MH1 Mobile and Modular Homes' and 'P2 Parks and Recreation'. A map amendment to the Schedule A - Zoning Bylaw Map is required to designate the property to a **'CD -1 Comprehensive Development zone'**.

Discussion

Surrounding Area

To the south of the subject property is Dry Creek Ravine, including an existing gravel trail along the top of the ravine that connects to the Log Train trail. The first 55 lots of the Uplands subdivision lie adjacent to the west. To the north across Burde St. there is a 21 hectare vacant property, including the two Redford Ponds. To the east there are primarily residential parcels (some undeveloped), of subdivided land that are rural and semi-rural.

Covenants

There are three restrictive covenants currently registered on the site, with some of the following implications:

1. No building shall be constructed, nor mobile home located, within fifteen (15) metres of the natural boundary of Redford Pond and adjacent detention pond.
2. No natural vegetation, shrubs, trees or other natural growth shall be cut, trimmed, pruned, destroyed or removed and no building shall be undertaken within the environmental wetland area.
3. No structure or building (except for one single family house) and no lot shall be further subdivided until the following has occurred:
 - a. Completion of a Geotechnical Engineering Study to assess proposed development of lands adjacent to Dry Creek ravine, with specific recommendations concerning building setbacks from the top of the bank.
 - b. Submission of engineering designs and cost estimates to include the following:
 - i. Upgrade of Burde Street adjacent to the land;
 - ii. Internal roads;
 - iii. Upgrade water system;
 - iv. Connect to sanitary sewer system;
 - v. Storm drainage system;
 - vi. Other utilities.

The above noted covenants were part of a large development proposal covering several properties, in the area, that never proceeded. The first covenant does not apply to the subject site and will be discharged during the subdivision process. The second covenant may need to be modified or replaced based on further details on the environmental areas from a biologist. The requirements of the third covenant are the responsibility of the developer and will be required during the subdivision development process.

Zoning

The subject property and two other properties were rezoned to a variety of zoning districts (see attached plan) as part of a major development idea that never proceeded. The current zoning of the site includes R1, R2, RM3, MH1, C1 and P2. The proposal is for a mix of R1 – Single Family Residential and R3 – Small Lot Single Family Residential sized lots. Because the subdivision layout is conceptual and will likely change as engineering proceeds and that the larger and smaller lots are mixed throughout the subdivision, a new zone called a CD1 – Comprehensive Development zone is proposed. The new zone would create detailed regulations for the mix of lot sizes including setbacks, lot coverage and accessory uses. This zone would allow for some flexibility in subdivision layout and still allow the zoning to be considered. The environmental wetland area and proposed children's playground are incorporated into the Comprehensive Development zone.

Infrastructure

There is a City water main line available along the frontage of the property on Burde Street. The capacity of the water system that services this area needs to be reviewed by the developer's engineer to confirm the capability for the proposed subdivision.

The City sanitary sewer is not available along this portion of Burde Street. The extension of sanitary sewer along Burde Street and from the first phase of the Uplands subdivision will have to be designed by the developer's engineer. An assessment of the downstream capacity of the sanitary sewer will be required to be completed by the developer's engineer.

A Stormwater Management Plan will be required to be prepared by the developer's engineer.

The extension of full services and new road construction to the subdivision will be the responsibility of the developer and must meet the City of Port Alberni standards. The road standard within the subdivision is curb and gutter, sidewalk on one side and full underground utilities. The detailed issues regarding sanitary and storm sewer, water service, private utilities and parkland will be addressed in the preliminary layout approval during the subdivision process. All engineering submissions will be reviewed and approved by the City engineering department.

Park, Trail and Wetland

Between the first phase of the Uplands subdivision and this proposal there will be over 120 lots in the immediate area, with other newer subdivision activity nearby. Although there are trails and open space in the area, the closest children's playground is on 16th Avenue, north of Burde Street and the play equipment is outdated. Information from SD70 indicates that a number of school age children already live in the existing Uplands subdivision. A dedicated park area for a new children's playground will be part of the subdivision. The City of Port Alberni will work with the developer and the Parks department to determine appropriate play equipment. The developer will pay for the equipment and have their parkland Development Cost Charges reduced by an equivalent value.

The preliminary engineering indicates that the project will require substantial land grading. Some of the existing trail along the Dry Creek ravine will be impacted by the regrading. The attached Figures 1 and 2 show how the trail will be impacted. A portion of the existing trail is not on the City owned walkway. The trail will be realigned to be fully located within the walkway. The existing grade for a portion of the trail is 35%, which will be reduced to 22% with the regrading of the property for the development. This will make for an easier walk along this section of the trail. A section of the trail adjacent to Waterfern Drive will be level with the new road and will provide new public access to the trail system.

An Environmental Assessment on the wetland and creek area of the property has been completed by a qualified biologist (D.R. Clough Consulting). The Biologist has determined the area to be protected from disturbances and identified the required setbacks. The main portion of the environmentally sensitive area will be dedicated to the City as natural space and four of the proposed lots will be required to have restrictive covenants registered on title. The details regarding the protection of environmental areas will be required to be addressed, in the preliminary layout approval, during the subdivision process. The developer will need to have a sediment control plan in operation during construction of the subdivision near Dry Creek Ravine and the wetland areas.

Status of the Application

At the March 17, 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 text amendment to Zoning Bylaw 2014, Bylaw No. 4382 by adding a **CD1 – Comprehensive Development Zone One**.*
2. *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 **Lot B**, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-701), located at Burde Street, from Future Residential Use to **Residential Use**.*
3. *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 B**, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-701), located at Burde Street, from a mix of 'C1 Neighbourhood Commercial', 'R1 Single Family Residential' and 'R2 One and Two Family Residential' to **'CD1 – Comprehensive Development Zone One'**.*
4. *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 **Lot C**, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-719), located at Burde Street; from a mix of 'Future Residential Use' and 'Parks and Open Space Use' to a mix of **'Residential Use' and 'Parks and Opens Space Use'**.*
5. *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 C**, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-719), located at Burde Street, from a mix of 'RM3 Higher Density Multiple Family Residential', 'MH1 Mobile and Modular Homes' and 'P2 Parks and Recreation' to **'CD1 – Comprehensive Development Zone One'**.*

6. *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 March 29, 2016 regular meeting, City Council received the APC recommendations and gave 1st and 2nd reading to Official Community Plan Amendment No. 19 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4899, Zoning Text Amendment T8 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4900 and Zoning Map Amendment No. 11 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4901.

Conclusions

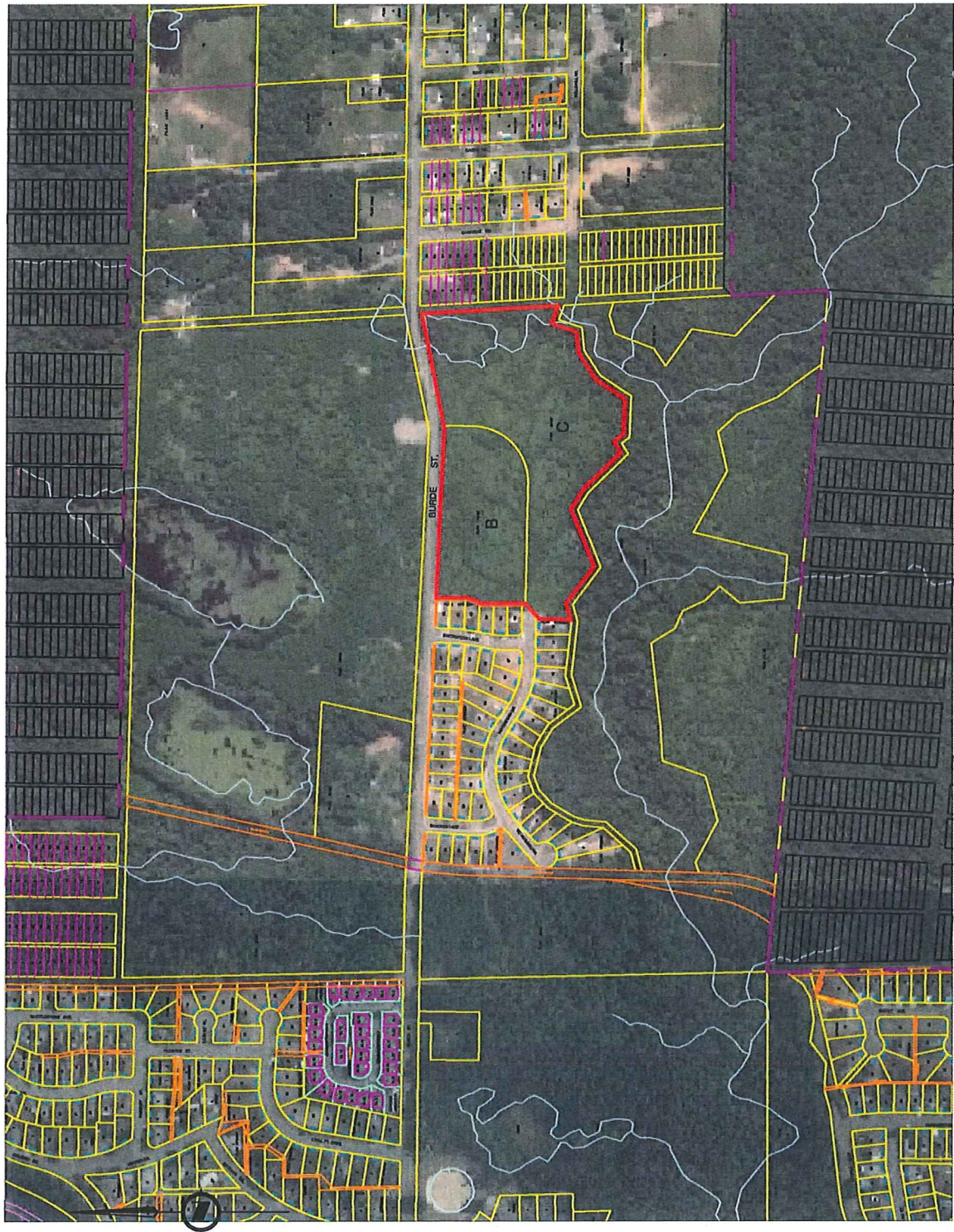
In considering the Official Community Plan and Zoning amendment, City Council should consider whether the proposed amendments are appropriate for the site and for the community.

The layout of the subdivision development is preliminary and will likely be revised as more detailed engineering work is completed during the subdivision process. The mix of single family lot sizes, children's playground and permanent protect of the environmental area provide for an appropriate use of the property. The Planning Department supports the Official Community Plan and Zoning Bylaw amendments.

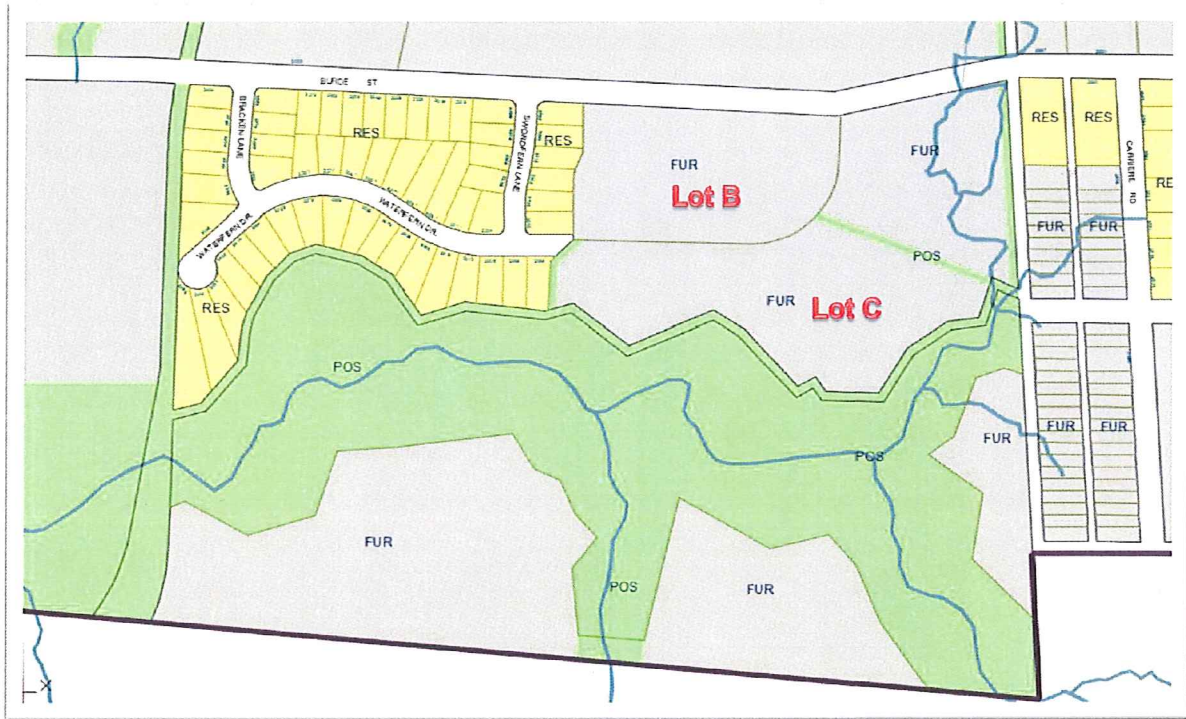
Respectfully submitted,



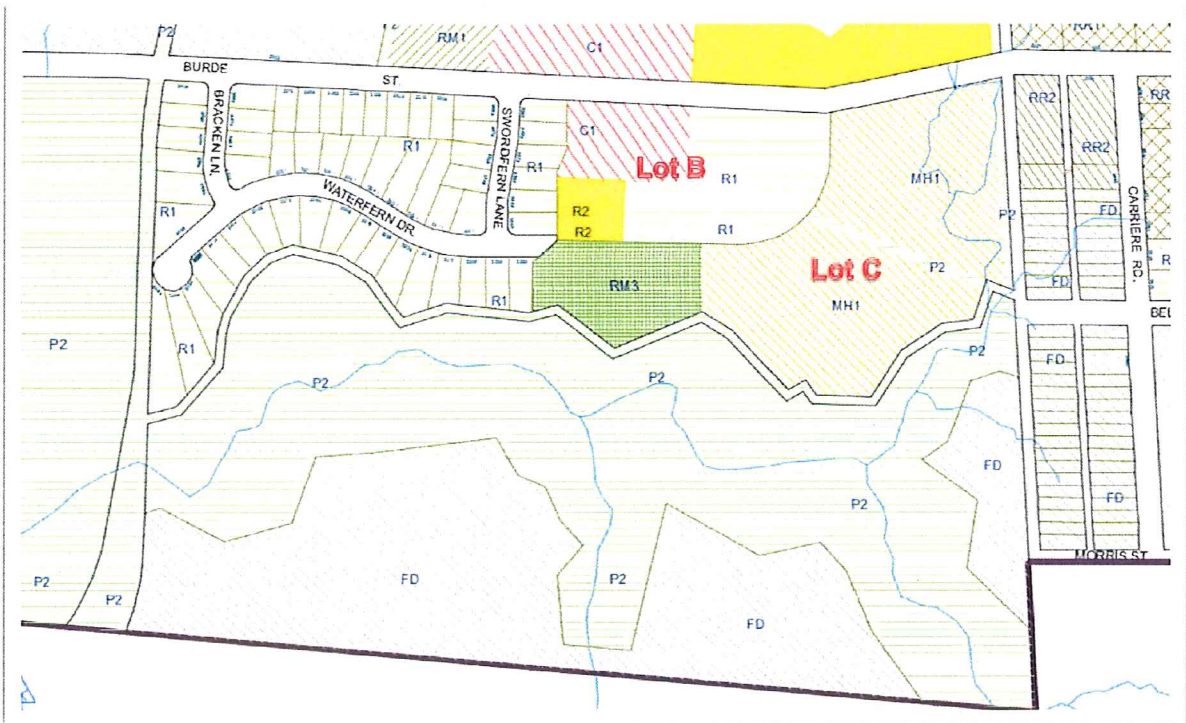
Scott Smith, MCIP
City Planner

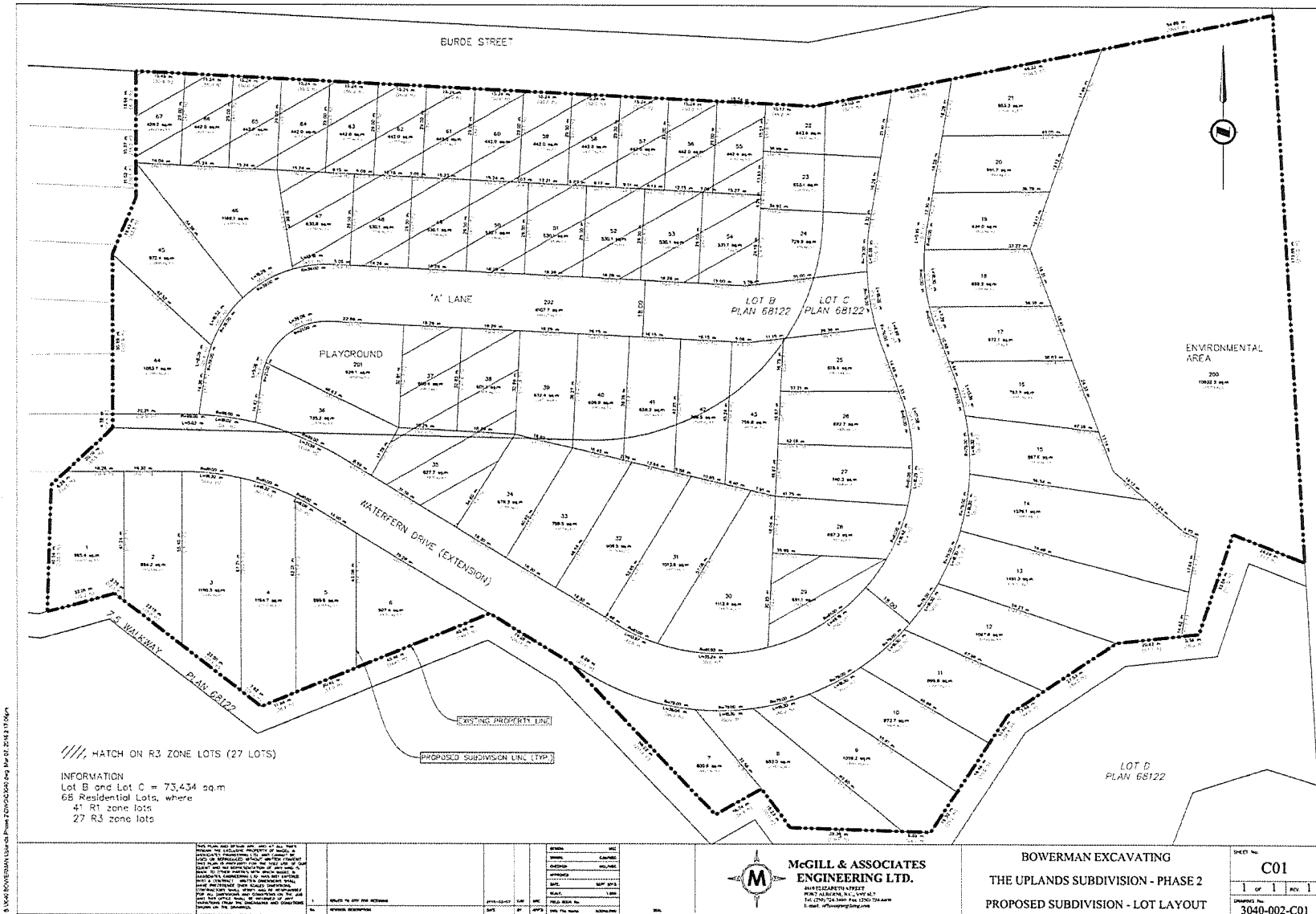


CURRENT OCP

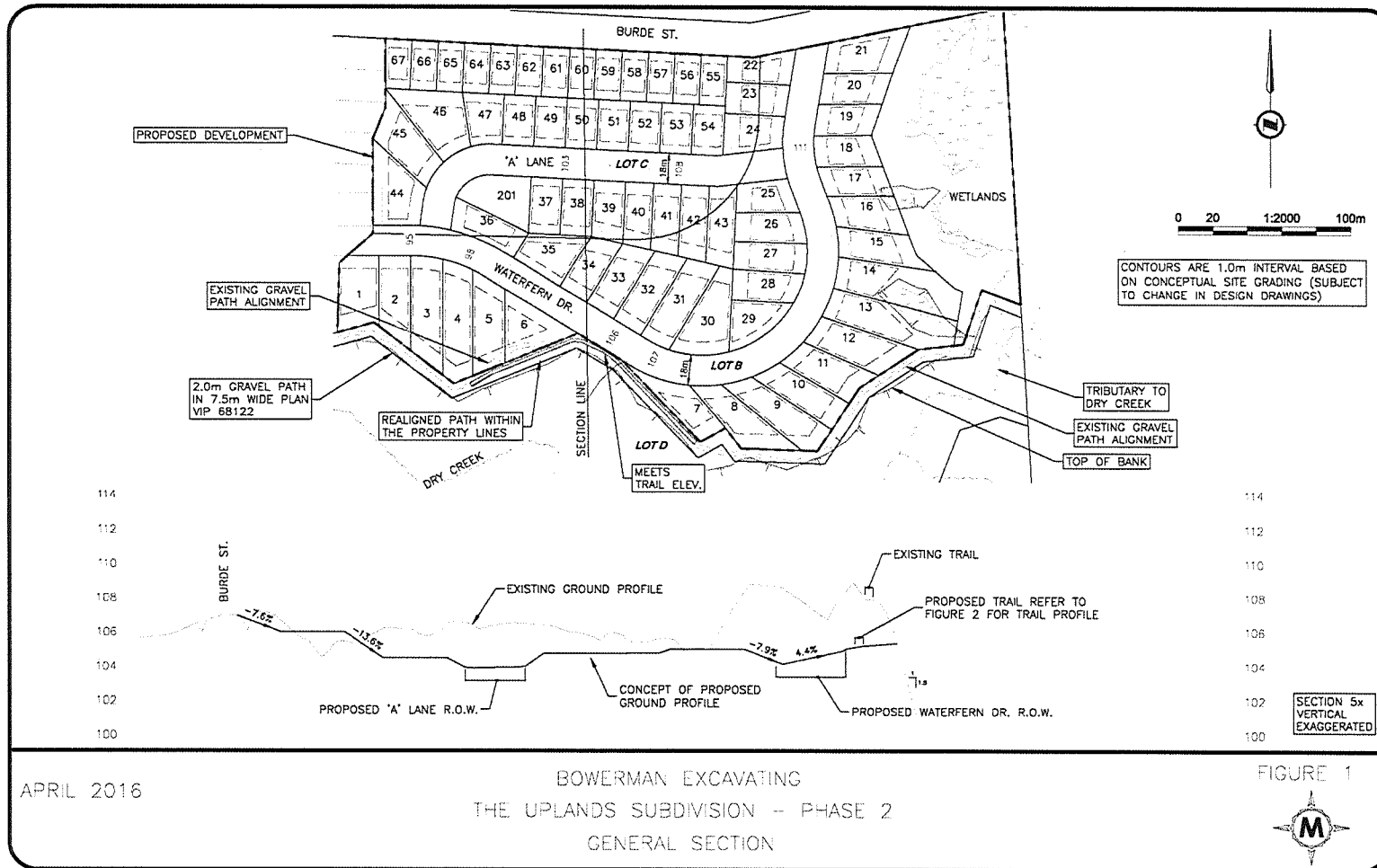


CURRENT ZONING





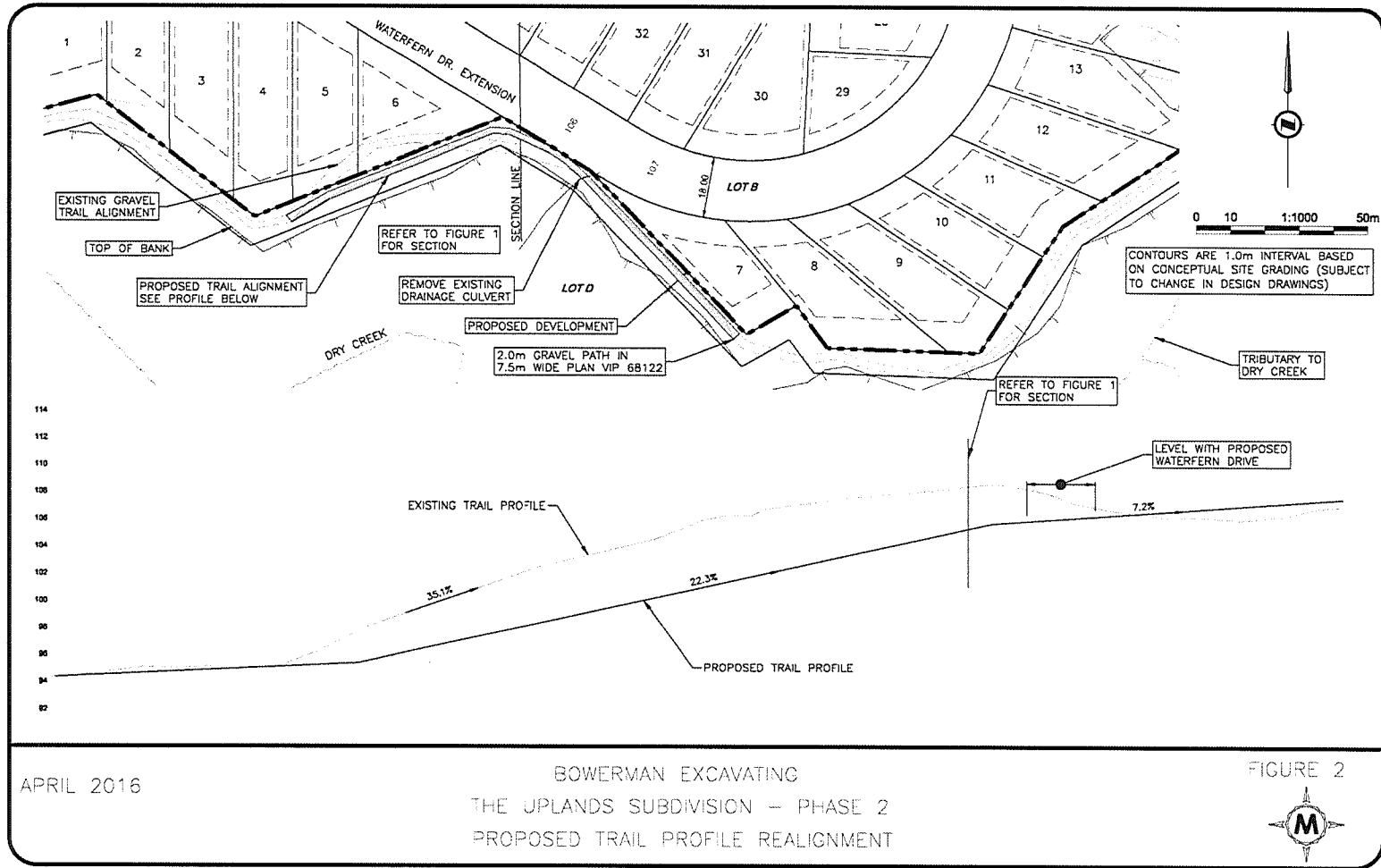
S:\040 BOWERMAN Uplands Phase 2\DWG\CD3300 CIL - Copy.dwg Apr 05, 2016 1:51:18pm



APRIL 2016

BOWERMAN EXCAVATING
THE UPLANDS SUBDIVISION - PHASE 2
GENERAL SECTION

FIGURE 1



CITY OF PORT ALBERNI

BYLAW NO. 4899

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. 19 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4899**".

2. Official Community Plan Amendment

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 Lots B and C, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-701 and 024-356-719), located on Burde Street, from 'Parks and Open Space' and 'Future Residential' to '**Parks and Open Space**' and '**Residential**' as shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw.

READ A FIRST TIME THIS 29TH DAY OF MARCH, 2016.

READ A SECOND TIME THIS 29TH DAY OF MARCH, 2016.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2016.

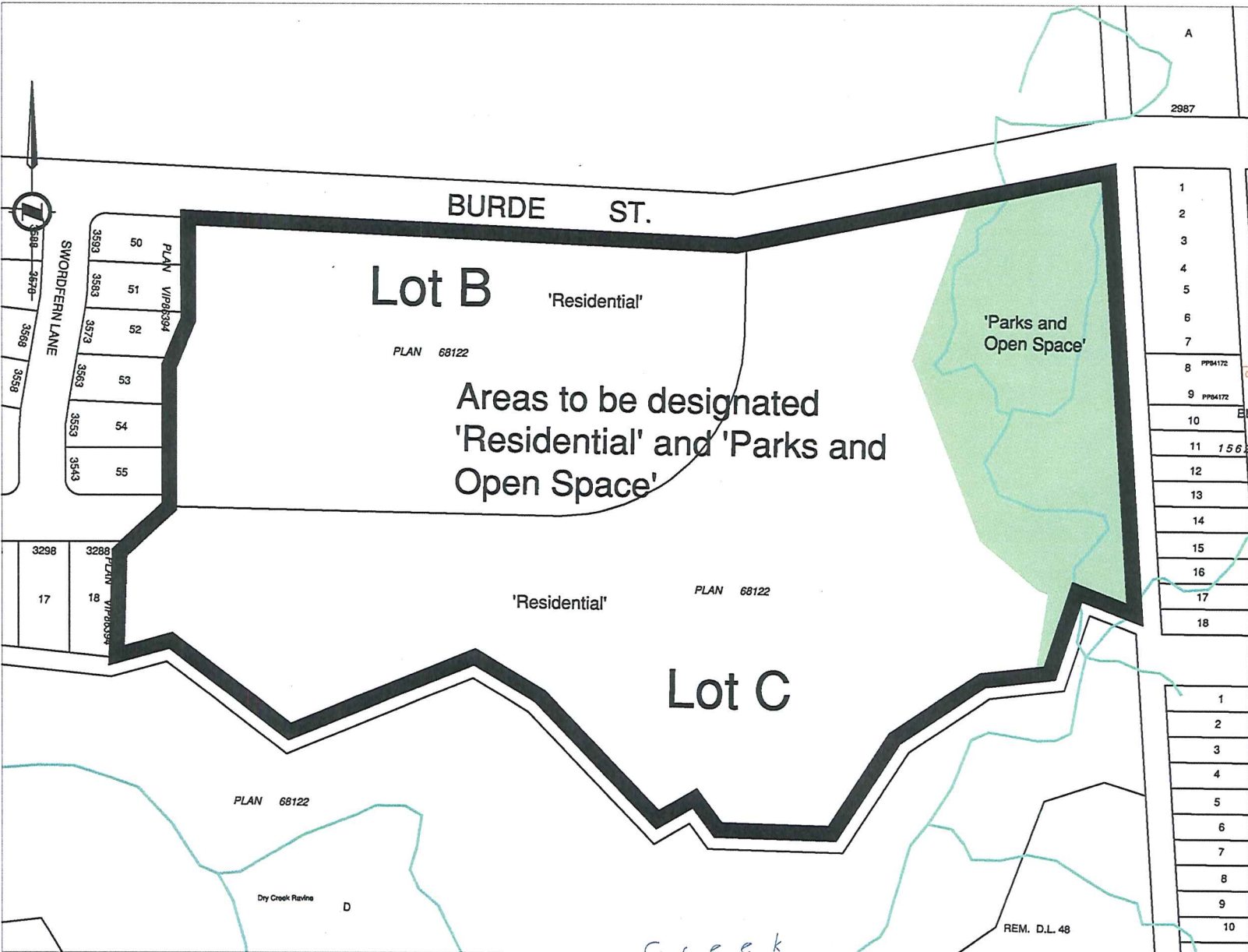
READ A THIRD TIME THIS DAY OF , 2016.

FINALLY ADOPTED THIS DAY OF , 2016.

Mayor

Clerk

Schedule "A" to Bylaw No. 4899



CITY OF PORT ALBERNI

BYLAW NO. 4900

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 T8 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4900"**.

2. Zoning Text Amendment

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

Adding the following text under a new Section 8:

"8. Comprehensive Development Zones

Comprehensive Development zones are usually site specific and often create a package of Zoning standards unique to that site.

CD1 – Comprehensive Development -Uplands Phase 2 – Burde Street

8.1 The purpose of this zone is to provide for varying lot sizes, for single family dwellings, and to retain and preserve the environmentally sensitive area of the site.

8.1.1 Permitted Uses

Principal Uses

*Single family dwelling
Parks and playgrounds
Natural areas*

Accessory Uses

*Bed and breakfast
Home occupation
Secondary suite
Supportive housing*

8.1.2 Site Development Regulations

Minimum Lot Area

Single family dwelling	350 m ²	(3,767 ft ²)
Single family dwelling with Bed and breakfast	600 m ²	(6,458 ft ²)
Single family dwelling with Secondary suite	600 m ²	(6,458 ft ²)

Single family dwelling with Supportive housing	600 m ²	(6,458 ft ²)
Minimum Frontage		
Single family dwelling	10 m	(32.8 ft)
Single family dwelling with Bed and breakfast	15 m	(49.2 ft)
Single family dwelling with Secondary suite	15 m	(49.2 ft)
Single family dwelling with Supportive housing	15 m	(49.2 ft)
Minimum Setbacks		
Front Yard	7.5 m	(24.6 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.0 m	(16.4 ft)
Rear Yard	9.0 m	(29.5 ft)
OR on lots less than 600 m ² (6,458 ft ²) and/or having a lot depth of less than 33.0 m (108 ft)	5.5 m	(18.0 ft)
Side Yard	1.5m	(4.9 ft)
Maximum Coverage	40%	
OR on lots less than 600 m ² (6,458 ft ²)	50%	
Maximum Floor Area Ratio	0.5 m	
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	
OR on lots less than 600 m ² (6,458 ft ²)	1	

8.1.3 Conditions of Use

- a) Notwithstanding the provisions of 8.1.2:
 - 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 metres (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.

- d) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a highway other than a lane is 5.8 metres (19 ft.).
- e) The Principal Uses 'Parks and Playgrounds' and 'Natural areas' are permitted only on property owned by the City of Port Alberni."

8.1.4 Fencing and Signage of Environmentally Sensitive Areas

- a) A minimum fence height of 1.8 m (6ft) shall be required along all residential property boundaries adjacent to environmentally sensitive areas and shall be designed to protect those areas.
- b) Facing each residential lot, standard signage shall be required to identify environmentally sensitive areas."

READ A FIRST TIME THIS 29TH DAY OF MARCH, 2016.

READ A SECOND TIME THIS 29TH DAY OF MARCH, 2016.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2016.

READ A THIRD TIME THIS DAY OF , 2016.

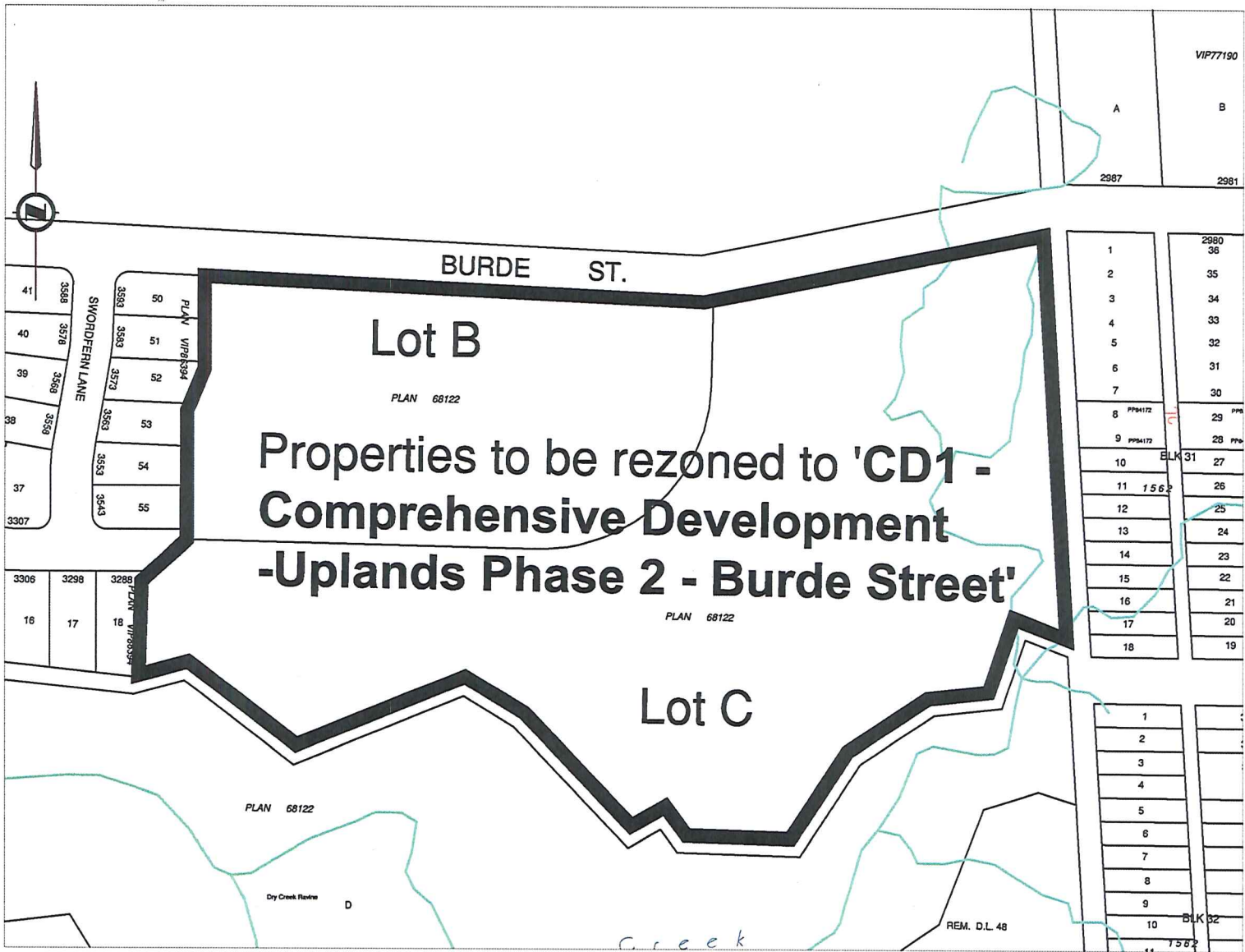
FINALLY ADOPTED THIS DAY OF , 2016.

Mayor

Clerk

COPY

J:\Clerks\Bylaws\BYLAWS\4900_ZoningTextAmend_BurdeStreet_tf.docx



Schedule "A" to Bylaw No. 4900

CITY OF PORT ALBERNI

BYLAW NO. 4901

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 Map Amendment No. 11 (Burde Street – Phase 2 of Uplands Subdivision), Bylaw No. 4901"**.

2. Zoning Amendment

2.1 That Lots B and C, District Lot 48, Alberni District, Plan VIP68122 (PID: 024-356-701 and 024-356-719), located on **Burde Street**, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, is hereby rezoned from C1 – Neighbourhood Commercial, R1 – Single Family Residential, R2 – One and Two Family Residential, RM3 – Higher Density Multiple Family Residential, MH1 – Mobile and Modular Homes and P2 – Parks and Recreations to **'CD1 – Comprehensive Development -Uplands Phase 2 – Burde Street'**.

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 29TH DAY OF MARCH, 2016.

READ A SECOND TIME THIS 29TH DAY OF MARCH, 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, April 11, 2016 at 6:00 pm** to hear representation about the following proposed bylaws:

1. "Official Community Plan Amendment No. 20 (3532 – 4th Avenue - D. Beecroft), Bylaw No. 4902"
2. "Zoning Bylaw Map Amendment No. 12 (3532 – 4th Avenue - D. Beecroft), Bylaw No. 4903"

APPLICANT: Dave Beecroft as agent for L. Terryberry - The applicant is applying to amend the Official Community Plan and the Zoning Bylaw to facilitate the re-construction of a single family dwelling. The amendments being considered are as follows:

1. **Official Community Plan Map Amendments:**

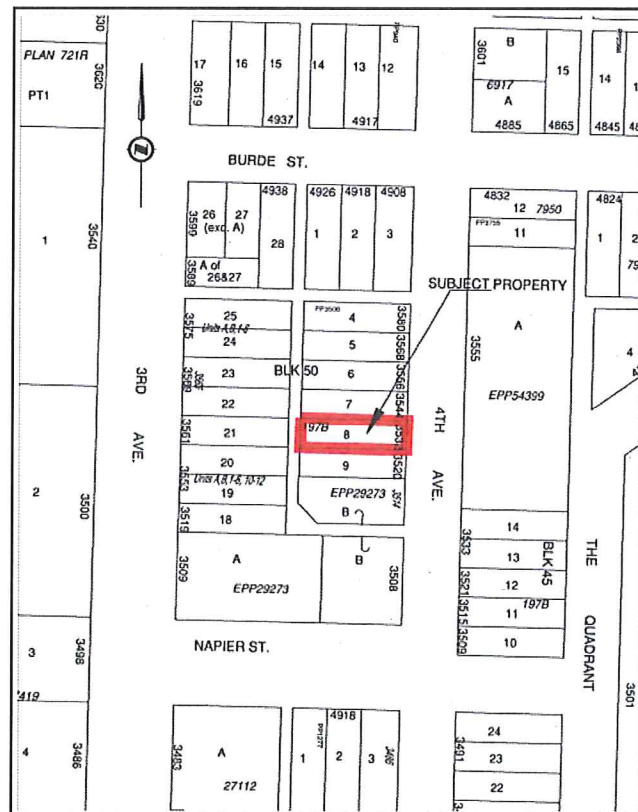
- A. Applying to amend the **Schedule A Land Use Map** which forms an integral part of Port Alberni Official Community Plan Bylaw No. 4602, 2005 to change the designation of Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at 3532 4th Avenue, from General Commercial to **Residential** as shown on the map below.
- B. Applying to amend the **Schedule B Development Permit Areas Map** which forms an integral part of Port Alberni Official Community Plan Bylaw No. 4602, 2005 to **delete** Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at 3532 4th Avenue, from **Development Permit Area No. 2 (General Commercial)**.

2. **Zoning Bylaw Map Amendment:**

- A. 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 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at 3532 4th Avenue, from 'C3 – Service Commercial' to '**R3 – Small Lot Single Family Residential**' as shown outlined on the map beside.

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 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 April 1, 2016 to April 11, 2016 during regular business hours (8:30 a.m. to 4:30 p.m.).



DATED AT PORT ALBERNI, B.C. this 1st day of April, 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: April 1, 2016

SUBJECT: Development Application
Official Community Plan Bylaw and Zoning Bylaw Amendments
3532 4th Avenue
Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931)
Applicant: Dave Beecroft

Issue

To consider an application for amendments to the Official Community Plan Bylaw (Schedule A – Land Use Map), Official Community Plan Bylaw (Schedule B – Development Permit Areas Map) and the Zoning Bylaw (Schedule A – Zoning Map) for property located at 3532 4th Avenue.

Background

A small non-conforming house was destroyed by fire on the property and has since been demolished. The purpose of the application to amend the OCP and Zoning Bylaws is to facilitate re-construction of a single family dwelling.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan Schedule A - Future Land Use Map designation for **3532 4th Avenue** is **currently General Commercial**. A map amendment is required to designate the property as **'Residential'**.
- b) The Official Community Plan Schedule B – Development Permit Areas Map includes the property in **Development Permit Area No. 2** (General Commercial). An **amendment is required to exclude** the property from the Development Permit Area.
- c) The Zoning Bylaw designation for **3532 4th Avenue** is **currently 'C3 – Service Commercial'**. A map amendment to the Schedule A - Zoning Bylaw Map is required to designate the property as **'R3 – Small Lot Single Family Residential'**.

Discussion

Surrounding Area

The area has a wide range of existing uses. The Friendship Centre and proposed new daycare centre are located directly across 4th Avenue to the east. The former bottle depot (to be demolished by the City this year) is also located to the east. A vacant lot and the LB Woodchopper storage yard are situated to the south. To the west, on 3rd Avenue, the area is mainly commercial with some residential use located above the commercial uses. North of the subject property the properties are all zoned commercial, and include commercial uses, but also includes several other non-conforming houses.

Zoning

The current C3 zone does not permit Single Family Home as a use. Amendments to the OCP Bylaw and Zoning Bylaw are required, to designate the property as 'Residential' and zone the property as 'R3 – Small Lot Single Family Residential' (see attached), in order to rebuild a single family home on 3532 4th Avenue. The proposed zone requires a 10 metre frontage and a minimum lot area of 350 m². The property at 3532 4th Avenue is 10.36 m x 38.1 m = 394.7 m² (34'x125' = 4,250 ft²), meeting the requirements of the R3 zone.

Status of the Application

At the March 17, 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 Official Community Plan Schedule A Land Use Map to change the designation of Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at 3532 4th Avenue, from General Commercial to **Residential**.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule B Development Permit Areas Map to delete the designation of Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at 3532 4th Avenue, be deleted from **Development Permit Area No. 2** (General Commercial).*
3. *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 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at 3532 4th Avenue, from C3 – Service Commercial to **R3 – Small Lot Single Family Residential**.*

At its March 29, 2016 regular meeting, City Council received the APC recommendations and gave 1st and 2nd reading to Official Community Plan Amendment No. 20 (3532 – 4th Avenue – D. Beecroft), Bylaw No. 4902 and Zoning Map Amendment No. 12 (3532 – 4th Avenue – D. Beecroft), Bylaw No. 4903.

Conclusions

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

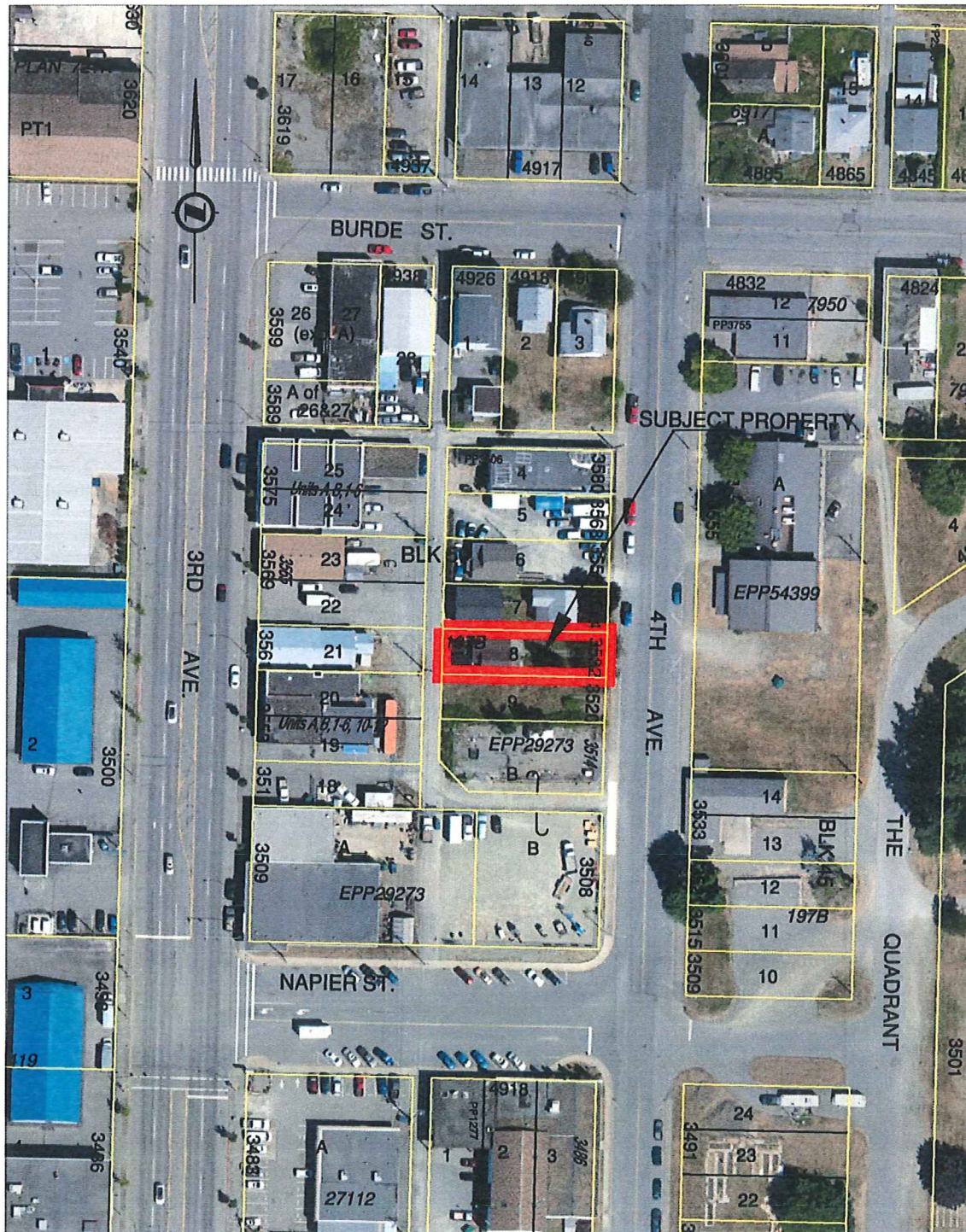
Even though the immediate area is primarily zoned commercial, there are a variety of uses present, including several non-conforming residential houses. The Planning Department does not object to the proposed OCP bylaw and Zoning bylaw amendments for 3532 4th Avenue that would allow for the reconstruction of a single family house.

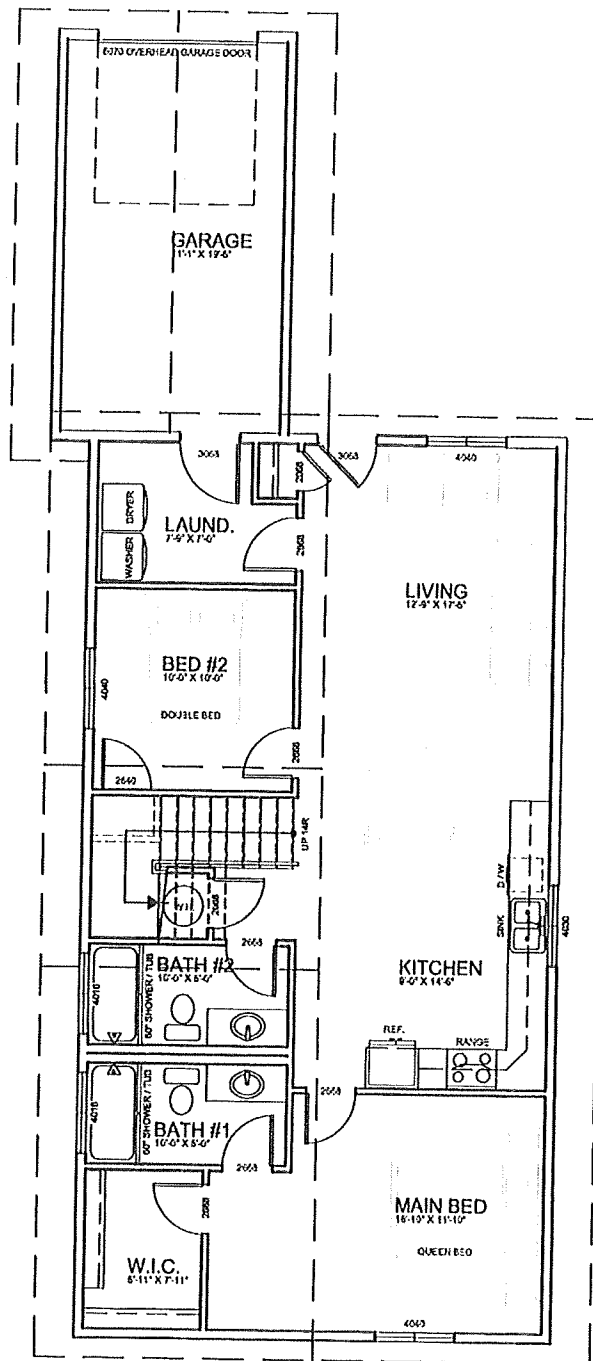
Respectfully submitted,

A handwritten signature in blue ink, appearing to be "S. Smith", written over a horizontal line.

Scott Smith, MCIP
City Planner

SUBJECT SITE – 3532 4th Avenue





MAIN FLOOR PLAN

LIVING AREA : 1080 SQ. FT.
 GARAGE AREA : 241 SQ. FT.
 TOTAL AREA : 1321 SQ. FT.
 SCALE: 1/4" = 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 *Setbacks*:

<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. 4902

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. 20 (3532 – 4th Avenue – D. Beecroft), Bylaw No. 4902**".

2. Official Community Plan Amendment

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 Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID 009-258-931), located at 3532 – 4th Avenue; from General Commercial **to Residential**; as shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw.

2.2 Schedule B (Development Permit Areas Map) that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended to delete Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID 009-258-931), **from Development Permit Area No. 2 - Commercial (General) Area** as shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw.

READ A FIRST TIME THIS 29TH DAY OF MARCH, 2016.

READ A SECOND TIME THIS 29TH DAY OF MARCH, 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 4902



CITY OF PORT ALBERNI

BYLAW NO. 4903

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 Map Amendment No. 12 (3532 – 4th Avenue – D. Beecroft), Bylaw No. 4903**".

2. Zoning Amendment

That Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B (PID: 009-258-931), located at **3532 – 4th Avenue**, as shown outlined in bold on Schedule A attached hereto and forming part of this bylaw is hereby rezoned from C3 – Service Commercial 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 29TH DAY OF MARCH, 2016.

READ A SECOND TIME THIS 29TH DAY OF MARCH, 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. 4903

