



File # 11.60.00

To: Port Alberni Advisory Planning Commission

Wes Hewitt – Chair	Chief Councillor Cynthia Dick (Tseshah First Nation)
Seva Dhaliwal – Vice Chair	Larry Ransom - (SD #70 Liaison)
Hedley Crowther	S. Sgt. D.N. Dave Paddock - (R.C.M.P. Liaison)
John Douglas	Councillor Chris Alemany (Council Liaison)
Amy Anaka	Rick Newberry (P.A.F.D. Liaison)
Jim Tatoosh (Hupacasath First Nation)	Jacob Colyn (Parks and Recreation Liaison)
Ken McRae	

From: Scott Smith, City Planner

Copy: Councillor Ron Paulson - (Alternate - Council Liaison)
John Bennie - (Alternate - School District #70)
Sgt. Dave Boyce – (Alternate – R.C.M.P. Liaison)
Steven Tatoosh (Alternate – Hupacasath First Nation)
Cara Foden - Planning Technician
Digital Copy - Davina Hartwell - City Clerk
Digital Copy - Tanis Feltrin/Pamela Bouvier/Lisa Krause - Clerks Department

Date: January 26, 2017

Re: Advisory Planning Commission Meeting
Thursday, January 19, 2017 at 12:00 pm in the Council Chambers at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, February 2, 2017 at 12:00 pm in the Committee Room at City Hall**. If you have any questions or are unable to attend please contact Scott Smith at 250-720-2808 (voice mail available).

AGENDA

- 1. Minutes of the October 20, 2016 meeting of the Advisory Planning Commission.**
- 2. Election – Chair and Vice-Chair for 2016**
- 3. Orientation Package – <https://www.portalberni.ca/sites/default/files/users/cfoden/APC-OrientationInfo-2017.pdf>**
- 4. DEVELOPMENT APPLICATION – Development Variance Permit**
5212 Pineo Road
 - *Lot 1, Block 15, Section 11, Alberni District, Plan 8444, PID: 005-534-895; and*
 - *Lot 2, Block B, Section 11, Alberni District, Plan 1728 Except Part in Plan VIP84013, PID: 001-046-561; and*
 - *Lot 3, Section 11, Alberni District, Plan 618, Except Part in Plan VIP1728, PID: 001-784-633***Applicant:** R. Stolz and B. Harper

5. **DEVELOPMENT APPLICATION – Zoning Bylaw Amendment**
3575 3rd Avenue
Lots 24-25, Block 50, District Lot 1, Alberni District, Plan 197B
(PID's: 000-171-891, 000-171-905)
Applicant: T. and P. Tilley
6. **DEVELOPMENT APPLICATION – Zoning Bylaw Amendment**
4849 Regina Avenue
Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455 (PID 000-587-087)
Applicant: P. Tsai
7. **Update** - City Planner - Status of current projects.
8. **Other business.**
9. **Adjournment.** The next regular meeting is scheduled for **February 16, 2017.**



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on October 20, 2016,
in the Council Chambers at City Hall, at 12:00 p.m.)**

Advisory Planning Commission

Wes Hewitt – Chair

Seva Dhaliwal – Vice-Chair

Mark Millin

John Douglas

Hedley Crowther

Larry Ransom - (SD #70 Liaison)

Councillor Chris Alemany (Council Liaison)

S. Sgt. D.N. Dave Paddock - (R.C.M.P. Liaison)

Randy Thoen (P.A.F.D. Liaison)

Staff

Scott Smith, City Planner

Cara Foden, Planning Technician

Guests

C. Evans – Applicant

G. Lindsay – Applicant

J. Jessup – Applicant

Five (5) members of the public

Regrets

Jim Tatoosh (Hupacasath First Nation)

Jacob Colyn (Parks and Recreation Liaison)

C.C. Cynthia Dick (Tseshah First Nation)

Alternates (not in attendance)

John Bennie (Alternate S.D.70)

Sgt. Dave Boyce (Alternate–R.C.M.P.)

Councillor Ron Paulson (Alternate–Council)

Steve Tatoosh (Alternate Hupacasath First Nation)



1. Adoption of May 19, 2016 Minutes

- Introductions were made.
- The minutes of the May 19, 2016 meeting of the Advisory Planning Commission were adopted.
(Ransom / Dhaliwal) CARRIED

**2. DEVELOPMENT APPLICATION – Official Community Plan Bylaw and Zoning Bylaw
2720 Burde Street**

Lot A, District Lot 139, Alberni District, Plan EPP53945 PID: (029-691-036) and;

3551 Bulwer Avenue

Lot 9, Block 27, District Lot 139, Alberni District, Plan VIP1562 PID: (002-801-434)

Applicant: C. Evans and C. Evans-Pauli

- The City Planner summarized his report to the APC dated October 13, 2016.
- The APC discussed the application as follows:
 - Site and existing setbacks on Burde St. – there are no issues with the existing residence.
 - Access - development of Loewen Road would be required with the level of construction dependent on the development proposed.
 - Distance to the nearest Sanitary Sewer service will be roughly 300-500 m once the new phase of the uplands subdivision on Burde Street is complete.

MOTIONS:

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 A, District Lot 139, Alberni District, Plan EPP53945, (PID: 029-691-036), located at **2720 Burde Street**, from a mix of 'Future Residential' and 'Residential' use to **'Residential'** use.
2. That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Schedule A Zoning Bylaw Map to rezone Lot A, District Lot 139, Alberni District, Plan EPP53945, (PID: 029-691-036), located at **2720 Burde Street**, from 'FD - Future Development' to a mix of **'RR2 – Semi-Rural Residential'** and **'R1 – Single Family Residential'**.
3. 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 9, Block 27, District Lot 139, Alberni District, Plan VIP1562, PID: (002-801-434), located at **3551 Bulwer Avenue**, from 'Future Residential' use to **'Residential'** use.
4. 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 9, Block 27, District Lot 139, Alberni District, Plan VIP1562, PID: (002-801-434), located at **3551 Bulwer Avenue**, from 'FD - Future Development' to **'RR2 Semi-Rural Residential'**.
5. 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.

(Millin / Dhaliwal) CARRIED

3. DEVELOPMENT APPLICATION – Zoning Bylaw

4080 McBride Street

Lot 21, District Lot 112, Alberni District, Plan 896, Except the East 300 Feet of the South 156 Feet and Except Part in Plans 23424, VIP56064 and EPP63335 (PID: 008-257-396)

Applicant: J. and P. Lindsay

- The City Planner summarized his report to the APC dated October 12, 2016.
- The APC discussed the application as follows:
 - Public access to ravine is not proposed for McBride Street. There is a long term plan to provide public access to the ravine from a different location.

MOTIONS:

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 21, District Lot 112, Alberni District, Plan 896, Except the East 300 Feet of the South 156 Feet and Except Part in Plans 23424, VIP56064 and EPP63335, (PID: 008-257-396), located at **4080 McBride Street**, from 'FD Future Development' to a mix of '**P2 Parks and Recreation**' and '**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.*

(Ransom / Douglas) CARRIED

4. DEVELOPMENT APPLICATION – Official Community Plan Bylaw and Zoning Bylaw 5350 Russell Street

Lot 2, Section 9, Alberni District, Plan 15459 (PID 001-823-591)

Applicant: John Jessup & Associates

- The City Planner summarized his report to the APC dated October 13, 2016.
- Larry Ransom, representing School District 70, indicated a possible conflict of interest in the application and removed himself from the room at 12:26 pm for the duration of the discussion and motions.
- The APC discussed the application as follows:
 - Councillor Alemany asked J. Jessup, the applicant, if the rental rates for the 20 proposed independent living units would be similar to the cottages at Echo Village. The applicant indicated they would be approximately \$600 - 700 / month but the Society was hoping to provide housing for low to moderate income seniors (incomes of ~ \$15,000 - 30,000 / year). The applicant also noted that the proposal has been submitted to BC Housing for capital construction funding but that no response has been received to date. The Society is hoping to obtain zoning approvals by year end in order to reinforce the proposal within the BC Housing approval process and remain viable in the competition for funding from that source.
 - S. Sgt. D.N. Dave Paddock - (R.C.M.P. Liaison) asked the applicant if provision had been made for safe walking areas. S. Casavant, also representing the Society, indicated that there is an existing sidewalk along Russell Street and that the development would be fenced on three sides to protect residents. An existing walkway is proposed to be extended, to connect the area proposed for park space, to the rest of the development. There is also a public right of way/path along the unconstructed portion of Compton Road adjacent to the north.

- There were questions from the members of the public in attendance and discussion was as follows:
 - J. Jessup, the applicant was asked how big the proposed park space would be and he indicated that the proposed 20 unit building footprint would cover roughly 0.5 acres. The future proposed building would cover another 0.5 acres of the 1.5 acre site. Approximately 2/3 of the site would be eventually be built leaving about 0.5 acres for park and garden space. Mr. Jessup also noted that the proposal has been submitted to BC Housing and that the Society is mostly committed to the plan and BC Housing would likely permit only minor deviation from the proposal.
 - S. Casavant noted that the plans were conceptual and that the community already has several underutilized Pickle ball Courts. Based on their research the Society may favour the installation of a multi-purpose activity court geared to providing benefits for all ages. The adult exercise area will be designed for residents. A community garden space will allow residents of the Independent and Complex Care units to enjoy healthy produce.
 - Fencing and safety from traffic on Russell Street was a concern from the public and the applicant indicated that fencing would be installed on three of the four sides of the property.
 - When asked if the Compton Road right of way would remain open to the public it was noted that the right of way is not included in the sale and remains in public ownership. No changes are proposed.
 - The applicant also noted that providing a facility that would allow residents to “Age in Place” with “Adaptive Housing” was a goal of the project. When asked if the ‘Independent Living’ units would become ‘Assisted Living’ and ‘Complex Care’ units S. Casavant reminded the members and guests that the current Rainbow Gardens facility was already providing Assisted Living and Complex Care and that the proposed expansion would complement the existing resources.
 - A guest inquired about the funding for the purchase of land and the applicant responded that the funding for the land purchase came solely from the Society’s resources. The applicant stated that no VIHA funding was used for the land purchase.

MOTIONS:

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 2, Section 9, Alberni District, Plan 15459 (PID 001-823-591), located at 5350 Russell Street; from ‘Parks and Open Space’ to ‘**Institutional**’.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Schedule A Zoning Bylaw Map to rezone Lot 2, Section 9, Alberni District, Plan 15459 (PID 001-823-591), located at 5350 Russell Street; from ‘P2-Parks and Recreation’ to ‘**P1 Institutional**’.*

(Douglas / Crowther) CARRIED

- Larry Ransom was invited back in and returned to the room at 12.55 pm.

5. Update - City Planner - Status of current projects.

Final Adoption / Approval has been given to:

- "Zoning Text Amendment T9 (3135 2nd Avenue – K. Ambrose), Bylaw No. 4907"
- "Zoning Bylaw Map Amendment No. 15 (6031 River Road – Shaw), Bylaw No. 4911"
- "Zoning Bylaw Map Amendment No. 13 (4981 Ian Avenue – D. Paquette), Bylaw No. 4908"
- "Official Community Plan Amendment No. 21 (4815 Argyle Street – Patterson), Bylaw No. 4912"
- "Zoning Bylaw Map Amendment No. 16 (4815 Argyle Street – Patterson), Bylaw No. 4913"
- "Zoning Bylaw Text Amendment No. T10 (Site Specific Use – RM3 High Density Multiple Family Residential), Bylaw No. 4914"
- "Development Permit 16-03" located at 3131 5th Ave.
- "Development Permit 16-04" located at 4423 Margaret St.

Still Active:

- "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"
 - "Official Community Plan Amendment No. 17 (3333 Burde Street - Harris), Bylaw No. 4889"
 - "Zoning Map Amendment No. 9 (3333 Burde Street - Harris), Bylaw No. 4890"
 - "Zoning Bylaw Map Amendment No. 14 (5820 Pierce Road – R. Van Vliet), Bylaw No. 4909"
- The City Planner estimated 30 single family housing Building Permits had been issued for the year to date.

6. Other business – No other business

7. Adjournment – The meeting adjourned at 1:00 p.m. The next regularly scheduled meeting will be **November 17, 2016** at 12:00 pm in the Committee Room at City Hall.

(Douglas / Crowther) CARRIED

Davina Hartwell - City Clerk



Wes Hewitt - Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: January 23, 2017

**SUBJECT: Development Variance Permit:
5212 Pineo Road**

- Lot 1, Block 15, Section 11, Alberni District, Plan 8444, PID: 005-534-895; and
- Lot 2, Block B, Section 11, Alberni District, Plan 1728 Except Part in Plan VIP84013, PID: 001-046-561; and
- Lot 3, Section 11, Alberni District, Plan 618, Except Part in Plan VIP1728, PID: 001-784-633

Applicant: R. Stolz and B. Harper

Issue

To consider an application for a Development Variance Permit to vary the Zoning Bylaw regulations in order to permit an increase in the footprint of an existing accessory building at 5212 Pineo Road.

Background

The property consists of three legal parcels considered to be “the property” and totals approximately 0.4 ha (~1 acre) in area. In 2007, as a condition of a Subdivision that would permit the sale of a portion of his property, the former owner of the three parcels agreed to the placement of a Restrictive Covenant on all three Land Titles thereby ensuring that all three of the parcels must be registered to the same owners, must remain as one entity, “the property”, and cannot be sold, transferred or assigned separately. “The property” was subsequently sold to the current owners.

Due to some miscommunication, a garage/shop was constructed without a building permit and the building was too close to interior property lines and exceeded the allowable height. The owner subsequently made an application to the Board of Variance to vary setback requirements to zero (0.0 m), on the interior lot lines, and to vary the permitted building height from 4.5 m to 5.5 m. The Board of Variance granted the setback and height variations and the garage/shop (see attached photos) was brought into compliance.

The property owners have submitted an application to vary the zoning bylaw to facilitate proposed additions to the garage/shop. The proposed additions are 3.65 metres by 8.2 metres (12 x 27 feet) on each side of the existing building. The total new area would be 60 m² (648 ft²).

Discussion

Property and Neighbourhood

“The property” is approximately 3,747 m² (0.926 ac). The surrounding area is described as follows:

- | | |
|-------|--|
| North | primarily residential neighbourhood consisting of relatively large city lots |
| East | two large parcels of low-lying, riparian, wetland owned by the Province and by the City separate “the property” from Kitsuksis Dyke and contain Lugin Creek and City storm drainage channels |
| South | Lugin Creek flows around the south property boundary and the creek channel separates “the property” from the industrial Co-Op Cardlock propane and gas station |
| West | primarily residential neighbourhood consisting of relatively large city lots |

The neighbourhood could be generally described as having a semi-rural character with the highest density (7 lots) located immediately adjacent to “the property”. The riparian wetland located to the south and east emphasizes that rural character as the Lugin Creek channel would preclude further development. Other large lots in the neighbourhood (north) may subdivide in future however all are located within the area covered by the Floodplain Bylaw where lower density is preferred and stricter building regulations apply. Elevations are below the 3.65 m G.S.C. level specified in the Floodplain bylaw.

Accessory Building

The property is zoned RR2 Semi-Rural Residential and the Zoning Bylaw restricts the total floor area of all accessory buildings, in the R, RR and RM zones, to a maximum of 75m² (807.3 ft²). The current garage/shop is 50 m² (540 ft²). The applicant has indicated that in addition to the primary residence and the garage/shop, there is an additional accessory building (garden shed) on the property. The garden shed is 22.3 m² (240 ft²).

Accessory Building Areas

- Current Garage/Shop = 50.1 m² (540 ft²).
- Garden Shed = 22.3 m² (240 ft²).
- Proposed Addition to Garage/Shop = 60.2 m² (648 ft²).
- Total = 133 m² (1,432 ft²).

The requested variance is from 75m² (807.3 ft²) to 133 m² (1,432 ft²), a variance of 58 m² (624 ft²). The requested variance is a significant increase in the allowable area for accessory buildings. However with the property being 0.4 ha (~1 acre) in size and the semi-rural character of the area, the requested variance is supportable. There has been discussion at the staff level to proposing changes to the zoning bylaw to allow variable accessory building areas based on the size of the property.

Conclusion

The Planning Department supports the issuing of a Development Variance Permit for “the property” at 5212 Pineo Road. Notice will be provided to area residents, so they may give comments before City Council makes any final decision on the proposed variance.

Recommendations

The following resolutions are proposed:

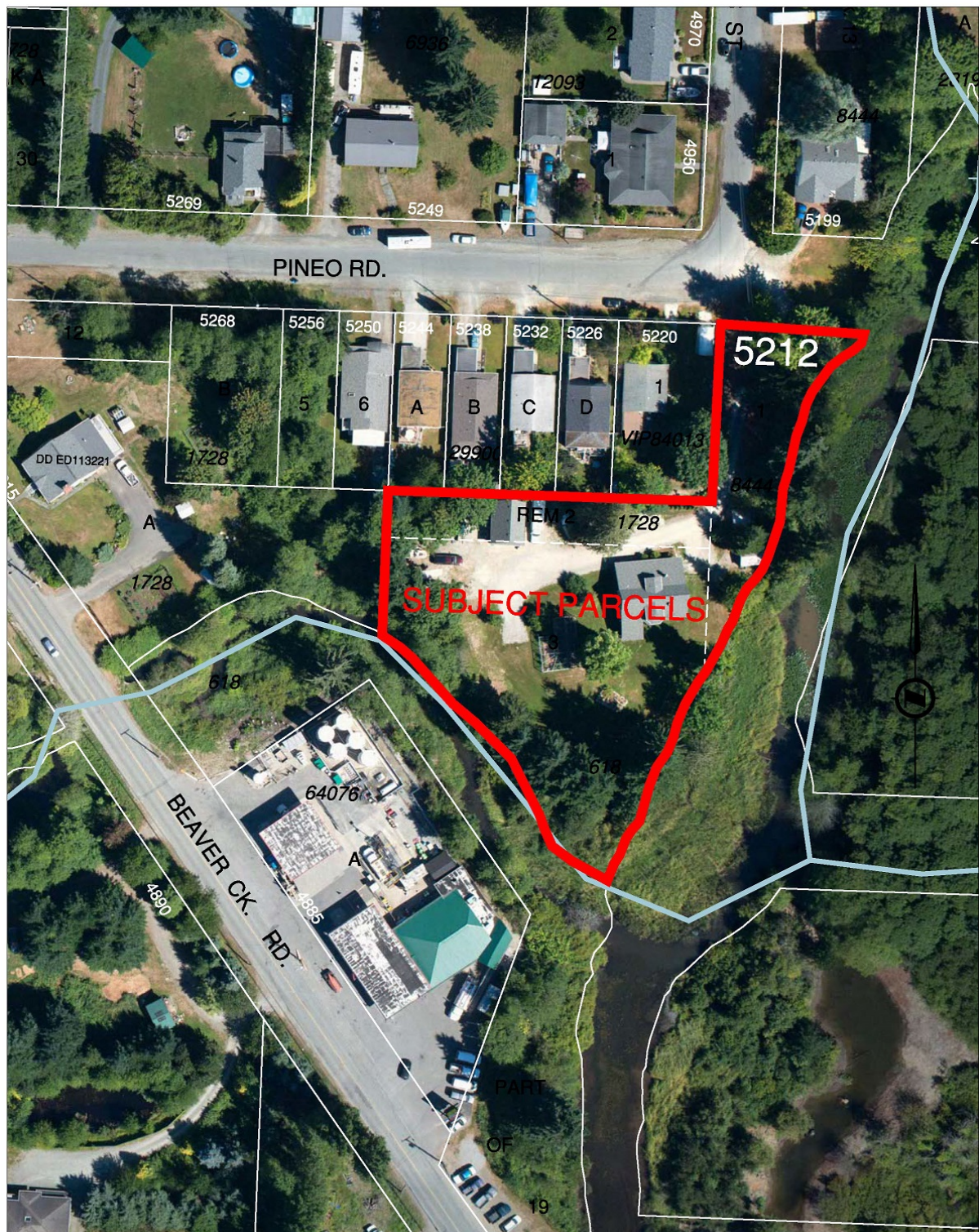
1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw #4832 as follows:*
 - a. *Vary Section 6.10.5 Accessory Buildings regulations for the total floor area of all accessory buildings, from 75m² (807.3 ft²) to 133 m² (1,432 ft²), on “the property” located at 5212 Pineo Road and legally described as Lot 1, Block 15, Section 11, Alberni District, Plan 8444, PID: 005-534-895; and Lot 2, Block B, Section 11, Alberni District, Plan 1728 Except Part in Plan VIP84013, PID: 001-046-561; and Lot 3, Section 11, Alberni District, Plan 618, Except Part in Plan VIP1728, PID: 001-784-633.*
 - b. *That City Council give notice of intent to consider the issuance of a Development Variance Permit for “the property” located at 5212 Pineo Road and legally described as Lot 1, Block 15, Section 11, Alberni District, Plan 8444, PID: 005-534-895; and Lot 2, Block B, Section 11, Alberni District, Plan 1728 Except Part in Plan VIP84013, PID: 001-046-561; and Lot 3, Section 11, Alberni District, Plan 618, Except Part in Plan VIP1728, PID: 001-784-633.*

Respectfully submitted,



Scott Smith, MCIP
City Planner

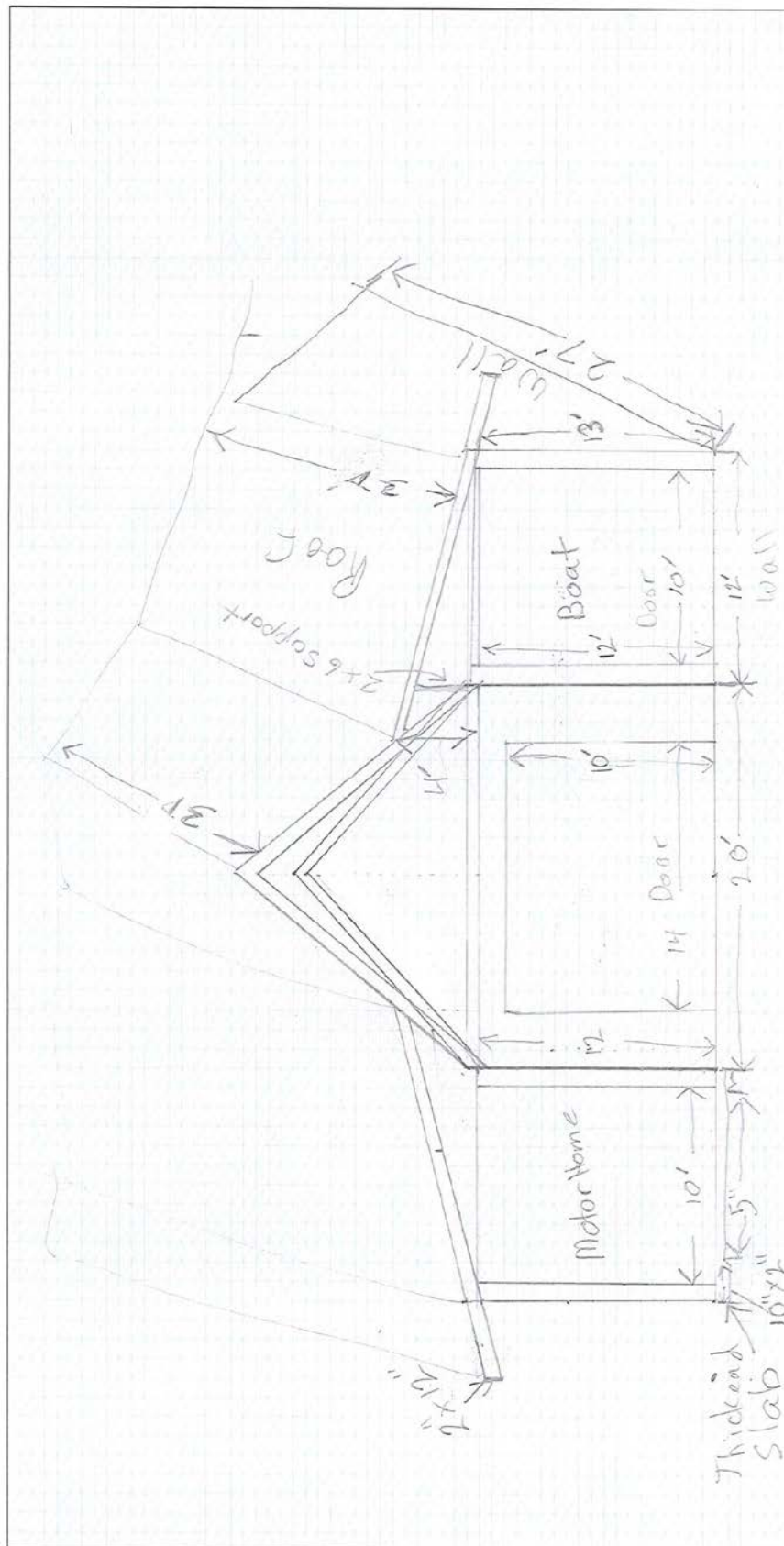
SUBJECT SITE – 5212 Pineo Road





CALCULATION SHEET

NAME	TITLE	JOB NUMBER	DATE	SHEET
Rory Stolz	Shop	5212 Pinco Rd V9V 7A5		







CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: January 26, 2017

SUBJECT: Development Application

Zoning Bylaw Text Amendment

3575 3rd Avenue

Lots 24-25, Block 50, District Lot 1, Alberni District, Plan 197B

(PID's: 000-171-891, 000-171-905)

Applicant: Tyson and Penelope Tilley

Issue

To consider an application for amendments to the text of the Zoning Bylaw for property located at 3575 3rd Avenue.

Background

There are two separate parcels that make up the site. Both lots are occupied by the same building that covers the front portion of the site. Within the existing building there are six (6) historically recognized dwelling units on the upper level. There are two dwelling units on the lower ground level that are not currently permitted by the Zoning Bylaw and that were constructed without the required Building Permits. Facing 3rd Avenue, at street level, there are three commercial units.

The applicant wishes to add additional dwelling units at street level and is applying for a text amendment to the Bylaw that would facilitate the construction of dwelling units to be located behind the street fronting commercial units. In addition to adding dwelling units at the street level the applicant is applying to change the general parking requirements by reducing the parking standard to 0.5 parking space per residential unit.

Discussion

Official Community Plan and Zoning Bylaw Designations

- a) The Official Community Plan Schedule A - Future Land Use Map designation for 3575 3rd Avenue is **currently General Commercial**. No amendment is required.
- b) The Official Community Plan Schedule B – Development Permit Areas Map includes the property in **Development Permit Area No. 2 Commercial** (General Commercial). No amendment is required.

- c) The Zoning Bylaw designation for 3575 3rd Avenue is **currently 'C3 – Service Commercial'**. Site specific text amendments to the C3 zone will be required.

Surrounding Area

The lower 3rd Avenue commercial area contains a variety of commercial uses. All of 3rd Avenue is zoned C3 Service Commercial and C4 Highway Commercial between Dunbar Street to the south and Redford Street to the north (4 city blocks). There are a couple of commercial buildings that include non-conforming residential units above the street level.

Zoning

Residential uses are very limited in the C3 or C4 zones with the exception of a 'Caretaker's Dwelling' subject to Section 6.16. 'Caretaker's Dwelling unit' is permitted in the C3 General Commercial zone only as an accessory use necessary to the operation of a business.

The City of Port Alberni has a significant amount of vacant commercial space throughout the community. Some recent work by the Economic Development Manager has shown a 29% vacancy of commercial storefronts in the lower 3rd and 4th Avenue area. There is also a need for more affordable rental housing in the community.

Permitting residential units on the ground level of this building behind smaller commercial units would add needed rental housing in the community. The resulting commercial units would be smaller in size and it is hoped that this would make them more leasable for commercial uses that do not need or cannot afford large spaces.

Facade and Exterior

The exterior of the building (see photos) is in need of some improvements. The property is located within the Commercial Development Permit Area. However, the renovations to add the proposed residential units would be limited to the interior and would not require a Development Permit. Some façade improvements to all sides of the building would benefit the building and the streetscape. It is recommended that the applicant be required to submit an elevation plan for improvements to the exterior of building prior to the public hearing.





Parking

The City of Port Alberni parking standard for dwelling units in Commercial zones is 1.25 parking spaces per dwelling unit. The parking standard is reduced in the core business zone to 0.5 parking spaces for each dwelling unit. Many residents who will live in the core area will not have vehicles. The building at 3575 3rd Avenue is just outside the core area, but has many of the same characteristics. Residents can take advantage of nearby shopping and make use of the available public transit. A reduced parking standard of 0.5 spaces per new dwelling unit is supported.

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 City of Port Alberni should strongly consider how zoning regulations can assist with improving the viability of older commercial buildings and still be appropriate to the overall community. The Planning Department supports the proposed amendment to permit residential units on the ground level, behind commercial units, and a reduced parking standard. It is recommended that the amendment be site specific to 3575 3rd Avenue. Although there may be other buildings in the C3 zone where additional residential units and reduced parking may be supportable, the majority would not be appropriate for such zoning changes.

As previously noted the property consists of two legal parcels, with the building straddling the interior property line. It is recommended that the property be consolidated into one legal parcel.

Recommendations

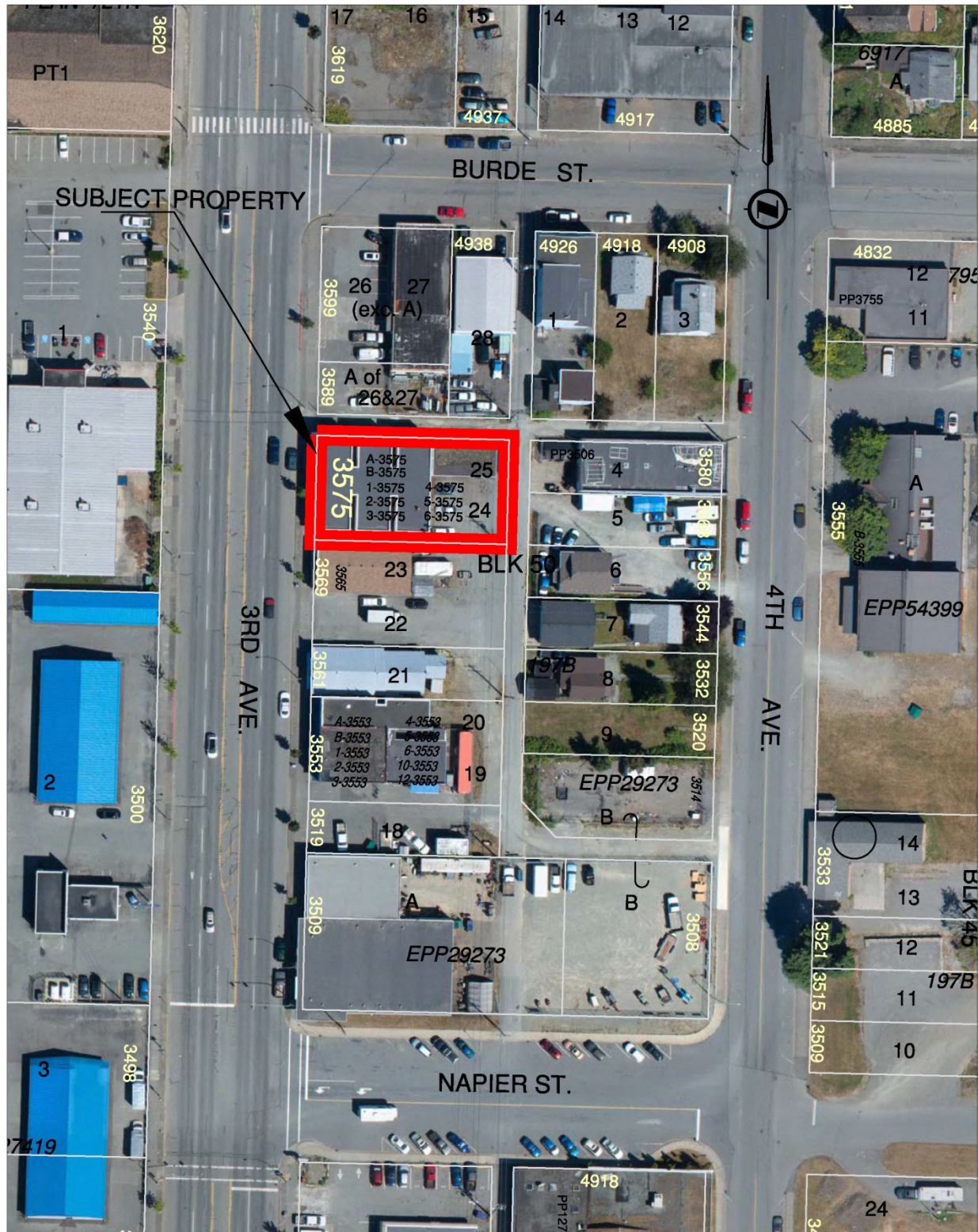
1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a site specific Zoning Bylaw amendment for 3575 3rd Avenue to permit residential units behind the commercial spaces and that a parking standard of 0.5 parking spaces per dwelling unit be permitted.*
2. *That the Advisory Planning Commission recommends to City Council that the applicant be required to submit elevation plans for façade improvements to the building prior to a public hearing.*
3. *That the Advisory Planning Commission recommends to City Council that the properties be required to be consolidated into one legal parcel prior to final adoption of the bylaw.*

Respectfully submitted,



Scott Smith, MCIP
City Planner

SUBJECT SITE – 3575 3rd 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 Lot Area	930 m ²	(10,011 ft ²)
Minimum Frontage	30 m	(98.4 ft)
Maximum Coverage	75%	
Minimum Setbacks:		
Front yard	0 m	
Rear yard	3 m	(9.84 ft)
Side yard	0 m	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	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

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: January 25, 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:

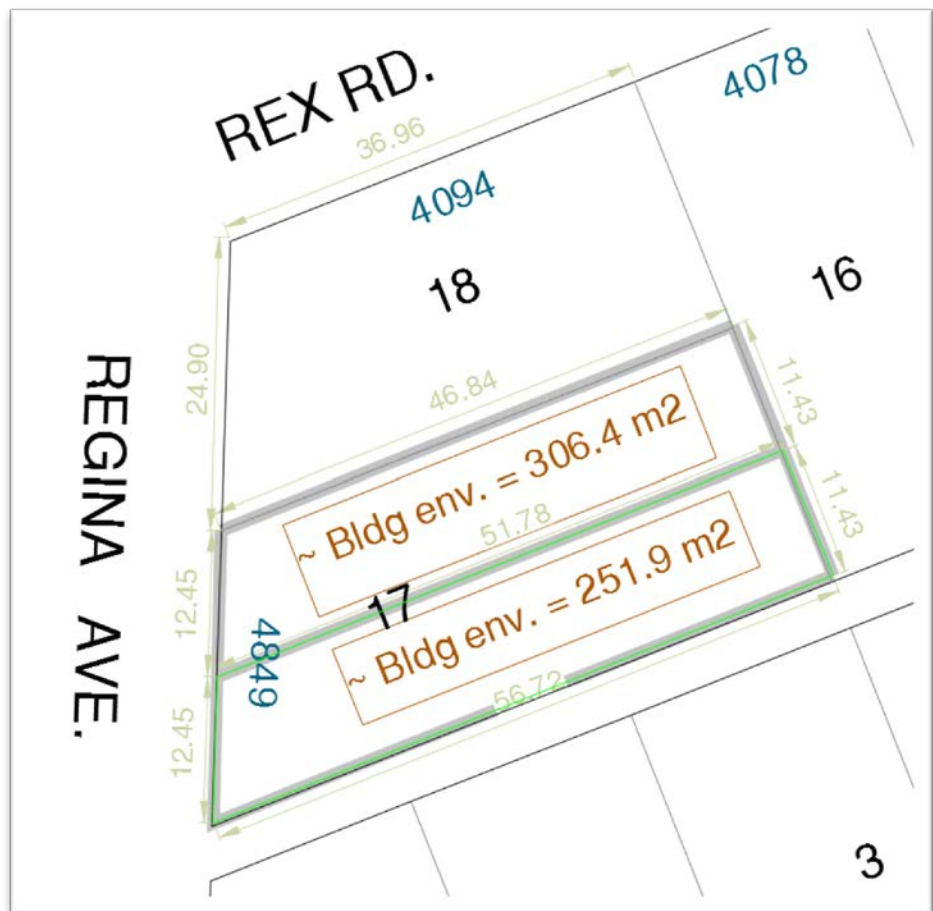
The property at 4849 Regina Avenue has frontage along Regina Avenue of almost ± 25 metres (81.7 ft.) and a lot area of $\pm 1183 \text{ m}^2$ (12,734 ft^2). The lot depth along the laneway is 56.7 metres (186.1 ft.).

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 4849 Regina Avenue 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.

Strategic Plan Implications

Responsible, livable and environmentally sustainable community

The proposed small lot subdivision meets the strategic goal of a livable and sustainable community.

Conclusions

In considering the Zoning amendment, the Advisory Planning Commission and 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.

Recommendations

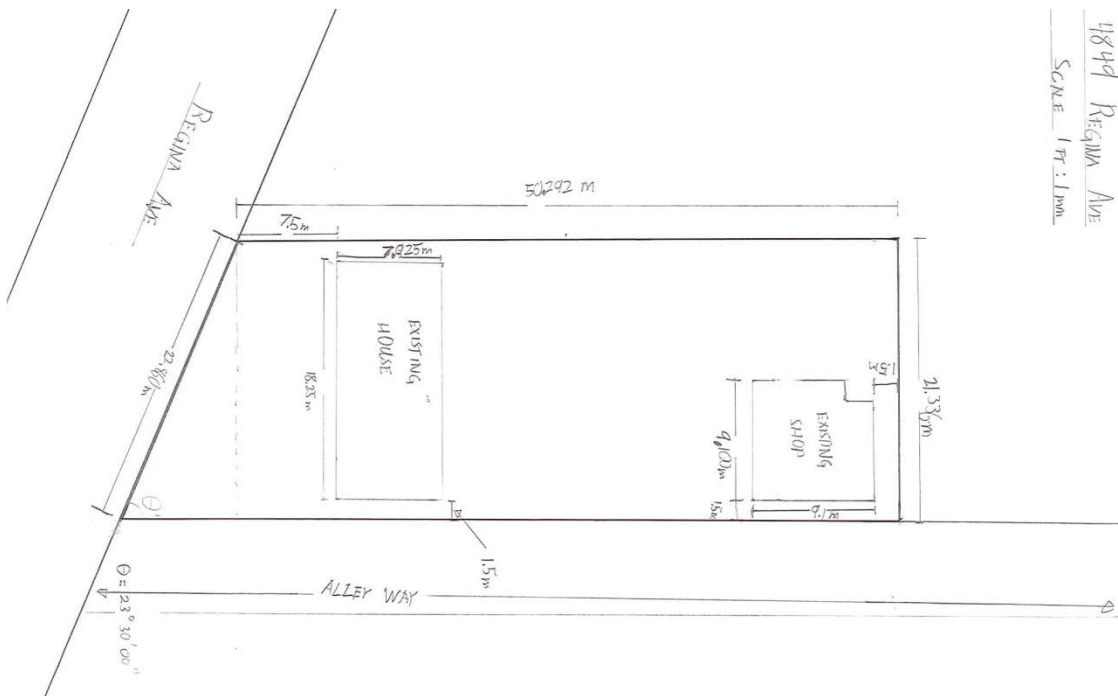
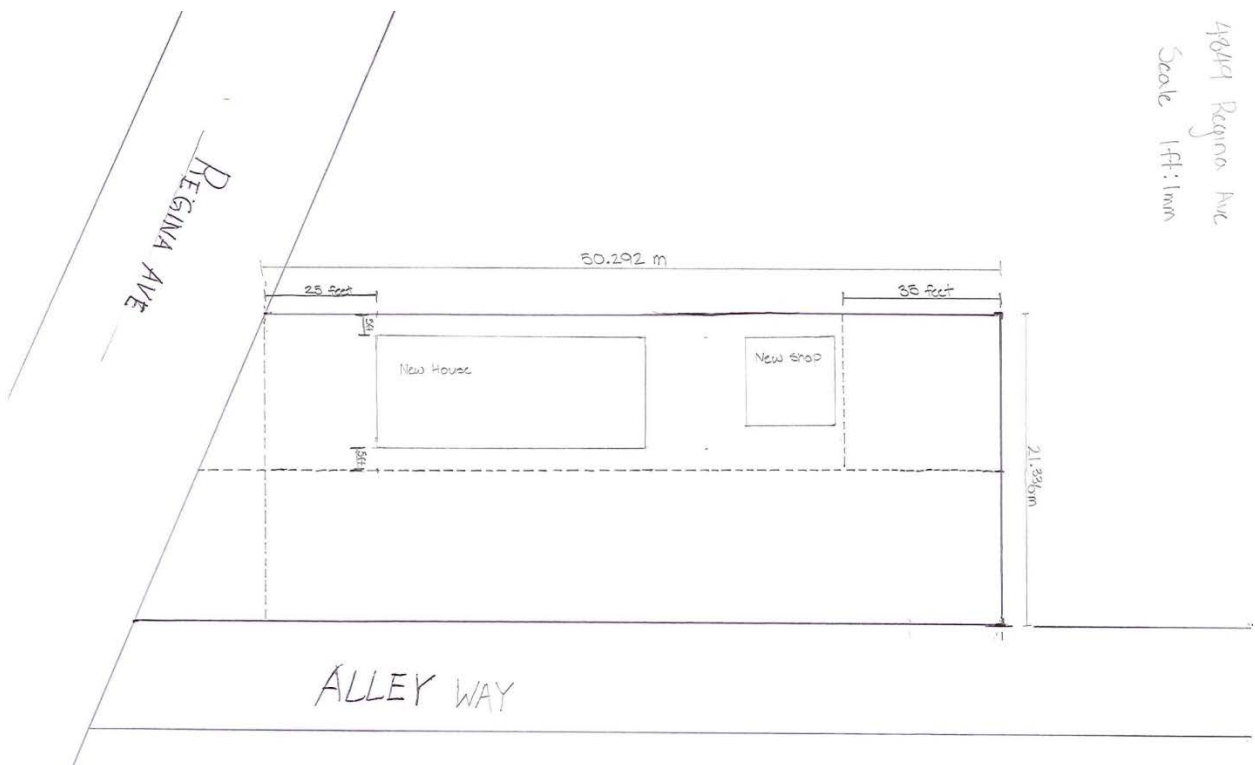
1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot 17, Block 4, District Lot 13, Alberni District, Plan 4455 (PID 000-587-087), located at **4849 Regina Avenue**; 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.*

Respectfully submitted,



Scott Smith, MCIP
City Planner



EXISTING SITE**PROPOSED LAYOUT**

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 100	SIZE 19	SIZE 100
DIST. MAIN TO P/L 0.9	DISTANCE FROM MAIN TO CURB STOP 51.2	LENGTH 2.0
RISER -	CORB. STOP 19	RISER 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:

