

File # 11.60.00

To: Port Alberni Advisory Planning Commission

Chris Colclough - Chair
Linda Kelsall – Vice Chair
Shelley Chrest
Vern Barnett
Seva Dhaliwal
Wes Hewitt

Jim Tatoosh (Hupacasath First Nation)
Janice Johnson (Tseshah First Nation)
Larry Ransom - (SD #70)
Sgt. Dave Paddock - (R.C.M.P. Liaison)
Councillor Cindy Solda - (Council Liaison)
Randy Thoen (P.A.F.D. Liaison)

From: Scott Smith, City Planner

Copy: Councillor Hira Chopra - (Alternate - Council Liaison)
John Bennie - (Alternate - School District #70)
Cara Foden - Planning Technician
Clerks Department – (Davina Hartwell, Jane MacNaughton/Tanis Feltrin)

Date: July 10, 2014

Re: Advisory Planning Commission Meeting
Thursday, July 17, 2014 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, July 17**, 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 April 17, 2014 meeting of the Advisory Planning Commission.**
- 2. DEVELOPMENT APPLICATION – Development Variance**
4910 Ian Avenue – (PID: 018-947-867) Lot 2, District Lot 13, Alberni District, Plan VIP59809
Applicant: P. Singh Basra for M. Bianic
- 3. Update - City Planner - Status of current projects.**
- 4. Other business.**
- 5. Adjournment. The next regular meeting is scheduled for Thursday, August 21, 2014.**



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on April 17, 2014
in the Committee Room at City Hall at 12:00 p.m.)**

Advisory Planning Commission

Chris Colclough (Chair)
Linda Kelsall (Vice-Chair)
Shelley Chrest via phone
Vern Barnett
Wes Hewitt
Seva Dhaliwal
Steven Tatoosh (Hupacasath First Nation)
Randy Thoen (P.A.F.D. Liaison)
Councillor Cindy Solda - (Council Liaison)

Staff

Scott Smith, City Planner
Cara Foden, Planning Technician

Regrets

Jim Tatoosh (Hupacasath First Nation)
Larry Ransom (S.D.70)
Sgt. Dave Paddock - (R.C.M.P. Liaison)
Janice Johnson (Tseshaht First Nation)

Guests

Public - 0

Alternates (not in attendance)

John Bennie (Alternate S.D.70)
Councillor Hira Chopra (Alternate – Council)



1. Adoption of February 20, 2014 Minutes

- The minutes of the February 20, 2014 meeting of the Advisory Planning Commission were adopted.

(Hewitt / Kelsall) CARRIED

2. Development Application – Zoning Bylaw Map and Text Amendments

3960 Johnston Road – (PID: 001-136-828) Lot 1, District Lot 14, Alberni District, Plan 32721

Applicant: C. Jaworski

- The City Planner summarized his report to the APC dated April 10, 2014.
- The APC discussed the application with respect to the following:
 - Discussion initially focused on the types of uses that the applicant wished to operate on the site. The terminology (Public Market, Farmer's Market) was somewhat confusing however the City Planner clarified that although the applicants business and operating plan have not been made known, any retail market operation would be indoors and a building would have to be constructed on the site.
 - Drainage concerns were noted and the City Planner informed the APC that as part of the Building Permit process the applicant would be required to ensure that storm and drain

- water are managed on the site.
- Parking requirements will depend on the final site plan. The City Planner indicated, to the APC, that the current plan would likely undergo changes and that the applicant might be required, by the Ministry of Transportation and Infrastructure, to use provincial highways parking standards as a condition of being issued a Highway Access Permit.
 - **Access** – The APC strongly expressed their concerns regarding the applicants site and access plan.
 - The location of the site is very close to the highway access point used by McDonald's restaurants to the west and a shared access with Hansen Hall, to the east, would require a legal easement agreement approved by both parties.
 - The Ministry of Transportation and Infrastructure may require that only one access point be used by both the Hansen Hall and the applicants site.
 - The pros and cons of requiring a median to prevent access to the site from the westbound lanes on Johnston were discussed.
 - The applicant has a copy of the Ministry comments received by the City.
 - Lane access and paving requirements will be dependent on a final site plan being approved.
 - The APC members are not satisfied with the applicants site plan as submitted and would recommend that City Council require the applicant to submit a site plan that would address the concerns with ingress and egress and that would be acceptable to the City Engineer and to City Council.

MOTIONS:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with an amendment to the Zoning Bylaw Schedule A Zoning Map to rezone Lot 1, District Lot 14, Alberni District, Plan 31721, PID:001-136-828 (located at 3960 Johnston Road) from P1 Institutional to **C2 General Commercial**.*

(Hewitt / Kelsall) CARRIED

2. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with a text amendment to the Zoning Bylaw to include "indoor commercial playground" in the definition of an Amusement Establishment as follows:*

"Amusement Establishment means premises that are used as billiard and pool halls, bingo halls, bowling alleys, indoor playgrounds or premises in which three or more amusement machines are placed, provided or kept for the purpose of gain or profit of the operator."

(Hewitt / Kelsall) CARRIED

The APC members (Hewitt/Kelsall) motioned to amend the third recommendation from the City Planner to include 3b) as follows:

3. That the City of Port Alberni Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following:
 - a) That the applicant receives a Commercial Access Permit for 3960 Johnston Road from the Ministry of Transportation and Infrastructure.
 - b) That the City of Port Alberni require the applicant to submit a site and access plan, acceptable to the City Engineer and to be approved by City Council for 3960 Johnston Road.

(Hewitt / Kelsall) CARRIED

3. Status Update – Current Projects - City Planner

- Zoning Bylaw – The new Port Alberni Zoning Bylaw 2014, Bylaw No. 4832 was given final adoption on March 10, 2014.
- 4916 Athol St. – some changes to the Development Variance Permit will go to Council for approval. The development will now have 25 units instead of 24.
- The Waterfront North Project – the four partners met and reviewed the draft plan. It is hoped that a final revision will soon be ready for approval by each agency.
- The new Building Standards Bylaw was discussed with respect to Freedom of Information and privacy concerns. A number of local buildings were discussed.
- CM Liquor Store building permit is ready for pickup.

4. Other Business - No other business.

5. **Adjournment** – The meeting adjourned at 1:30 p.m. The next regularly scheduled meeting will be **May 15, 2014** at 12:00 pm in the Committee Room at City Hall.

(Kelsall / Hewitt.) CARRIED



City Clerk



Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: July 10, 2014

SUBJECT: DEVELOPMENT APPLICATION - Development Variance
4910 Ian Avenue - Lot 2, District Lot 13, Alberni Land District Plan VIP59809
(PID: 018-947-867)
Applicant: Piara Singh Basra

ISSUE

At issue is the consideration of an application for a Development Variance Permit (DVP). The applicant is applying to vary zoning regulations to permit a reduction in the setbacks for a single family dwelling.

BACKGROUND

The property at 4910 Ian Avenue is designated Residential in the OCP and zoned R1 Single Family Residential in the Zoning Bylaw. Prior to subdivision in 1994 it was a large corner lot located on the north side of Ballson Road with legal frontage on Ian Avenue.

The property is 27.132 metres (89 ft) wide along Ballson Road, with a depth of 27.405 metres (90 ft) along Ian Avenue. When a property is located on a corner lot, the Zoning Bylaw considers the shortest lot line to be the front lot line. Although this property is essentially a square lot, Ballson Avenue is legally considered the front lot line for setback purposes. The applicant would like to orient the proposed single family house towards Ian Avenue.

Because the lot is located at the intersection of two streets the Side Yard Setback requirement along Ian Avenue is increased from 1.5 m to 3.5 m as shown in the table below.

<u>Zoning Requirement</u>		<u>Required</u>		<u>Proposed</u>	<u>Variance</u>
Front Yard (south/Ballson)	from	7.5 m	to	3.66 m	3.84 m
Side Yard (east/Ian)	from	3.5 m	to	5.8 m	n/a
Side Yard (west)	from	1.5 m	to	7.6 m	n/a
Rear Yard (north)	from	9 m	to	2.44 m	6.56 m

DISCUSSION

The immediate area is predominately single family residential, with a small multi-family development down the block at Ballson Road and Gordon Avenue. Ian Avenue has a sidewalk and an existing driveway letdown to the property and Ballson Road is centrestrip asphalt with no sidewalk.

The combination of Ballson Road being the legal frontage and the applicant wanting to orient the house towards Ian Avenue results in the front and rear yard setbacks needing significant variances. However, the two side yard setbacks are far greater than what is required. The proposed side yard setbacks are close to what would be required for a front and rear yard if Ian Avenue where the legal frontage.

The proposed front yard variance along Ballson Road from 7.5 metres to 3.65 metres is significant, but would meet the side setback if Ian Avenue was the front. Ballson Road has a fairly wide boulevard and the variance will only have a minor impact on the neighbouring houses across the street.

The proposed rear yard variance from 9 metres to 2.44 metres is also significant, but would be greater than the side yard setback if Ian Avenue was the front. The house at 4924 Ian Avenue which is directly adjacent to this setback does not have any windows on that side of the house. This may potentially lessen the impact of the proposed variance on the neighbouring house.

CONCLUSIONS

The property at 4910 Ian Avenue is essentially a square property. The Zoning Bylaw however, considers Ballson Road to be the legal front for setback purposes. With the preferred house layout and the Ballson frontage the larger variance become necessary. Even though the proposed variances are significant the overall layout of the house is not widely out of character with the neighbourhood. The Planning Department supports the issuing of a Development Variance Permit for 4910 Ian Avenue.

RECOMMENDATIONS

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 5.11.2 Site Development Regulations for the Front Yard Setback by 7.5 metres to 3.66 metres, a variance of 3.84 metres;*
 - b) *Vary Section 5.11.2 Site Development Regulations for the Rear Yard Setback by 9 metres to 2.44 metres, a variance of 6.56 metres;*

for the property located at 4910 Ian Avenue.
2. That City Council provide notice of intent to consider the issuance of a Development Variance Permit for 4910 Ian Avenue.

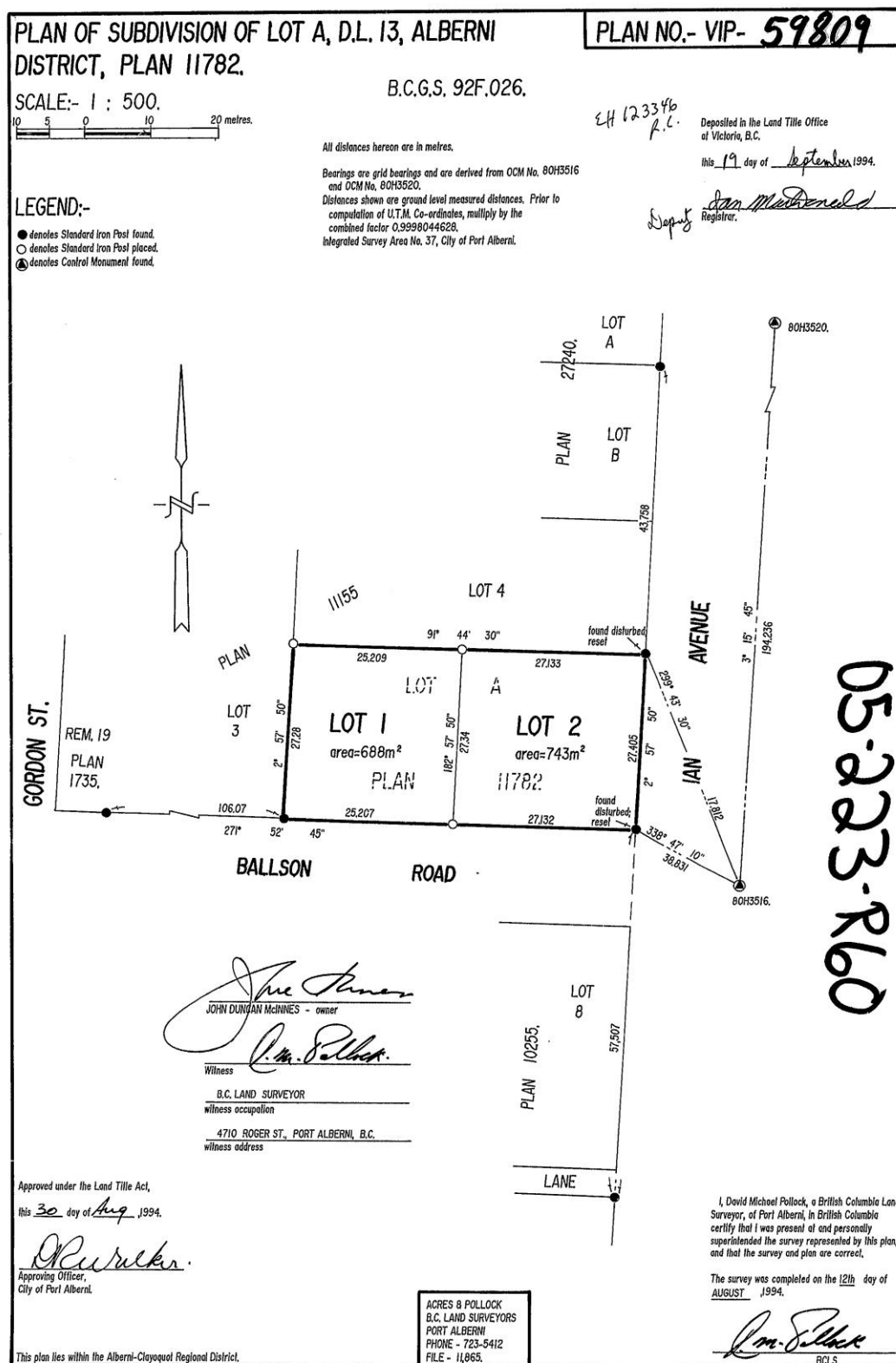
Respectfully submitted



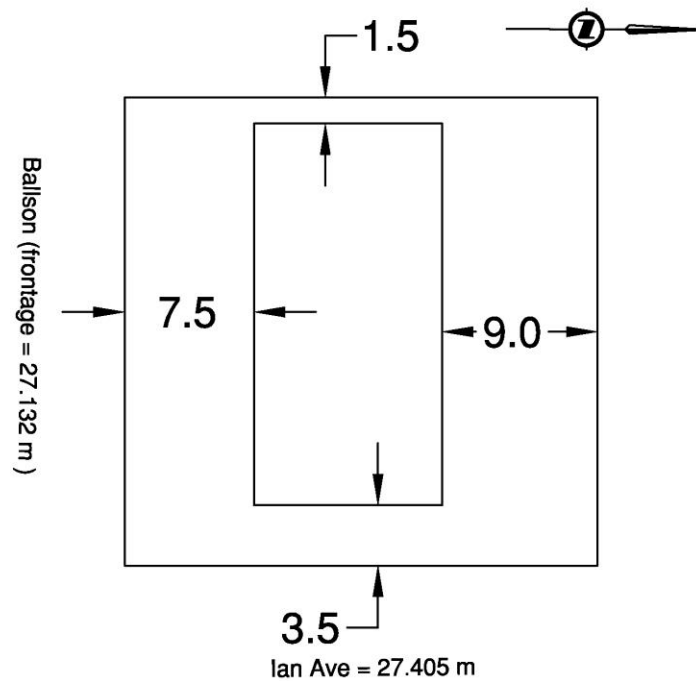
Scott Smith, MCIP
City Planner



SUBJECT PROPERTY - 4910 Ian Avenue



Required Setbacks



Proposed Setbacks

