

File # 11.60.00

To: Port Alberni Advisory Planning Commission

Chris Colclough - Chair
Shelley Chrest
Vern Barnett
Seva Dhaliwal
Wes Hewitt

Linda Kelsall – Vice Chair
Larry Ransom - (SD #70)
Sgt. Dave Paddock - (R.C.M.P. Liaison)
Councillor Hira Chopra - (Council Liaison)
Randy Thoen (P.A.F.D. Liaison)

From: Scott Smith, City Planner

Copy: Councillor Rob Cole - (Alternate – Council Liaison)
John Bennie (Alternate - SD #70)
Digital copy to Clerks Department

Date: June 14, 2012

Re: **Advisory Planning Commission Meeting**
Thursday, June 21, 2012 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, June 21, 2012 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 May 17, 2012 meeting of the Advisory Planning Commission.**
- 2. Development Application: Development Variance Permit
5450 Tomswood Road
(Strata Lots 1 - 30, District Lot 20, Alberni District, Plan VIS 7098)**
- 3. Update - City Planner - Status of current projects.**
- 4. Other business.**
- 5. Adjournment. The next regular meeting is scheduled for July 19, 2012.**

**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on May 17, 2012
in the Committee Room at City Hall at 12:00 p.m.**

Advisory Planning Commission

Chris Colclough - Chair
Linda Kelsall – Vice Chair
Vern Barnett
Seva Dhaliwal
Wes Hewitt
Shelley Chrest
Randy Thoen (P.A.F.D.)

Sgt. Dave Paddock (R.C.M.P.)
Councillor Rob Cole (Alternate Council Liaison)

Staff

Scott Smith, City Planner

Guests

Brent Wilson – Beaver Ck Home Centre

Regrets

Larry Ransom - (SD #70)
Councillor Hira Chopra (Council Liaison)



1. Adoption of March 15, 2012 Minutes

The minutes of the March 15, 2012 meeting of the Advisory Planning Commission were adopted.

(Barnett/Hewitt) CARRIED

2. Development Application: Development Variance Permit

4660 Gertrude Street

(Lot 1, District Lot 1, Alberni District, Plan 28363)

Applicant: Beaver Creek Home Centre

- The City Planner summarized his report to the APC dated May 10, 2012.
- The APC discussed the application with respect to the following:
 - Why is there a rear yard setback requirement? The City Planner indicated that although not relevant on this property the setback may be for lane access.
 - The issue of delivery truck circulation to the yard and Gertrude Street was discussed. The City will work with Beaver Creek Home Centre to explore what improvements could be considered.

MOTIONS:

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 #4395 as follows:*
 - A. *Vary Section 6.24.3 Bulk and Site Regulations for the Rear Yard Setback from **3 meters to 1.2 metres** on Lot 1, District Lot 1, Alberni District, Plan 28363.*
2. *That City Council gives notice of intent to consider the issuance of a Development Variance Permit for 4660 Gertrude Street.*

(Kelsall/Chrest) CARRIED

3. Updates from City Planner, Scott Smith - Status of current projects.

- The rezoning application for the Ford dealership was given final adoption.
- The keeping of chicken and honeybees survey is available. After City Council receives the results an amendment to the Zoning Bylaw may proceed.
- The Alberni Mall will shortly be making application for a development permit to renovate the balance of the mall.

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4. **Adjournment** – The meeting adjourned at 12:50 p.m. The next regularly scheduled meeting will be **June 21, 2012** at 12:00 pm in the Committee Room at City Hall.

City Clerk



Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: June 14, 2012

SUBJECT: Development Variance Permit
5450 Tomswood Road
Strata Lots 1 - 30, District Lot 20, Alberni District, Plan VIS7098
Applicant: Clark Power

ISSUE

At issue is the consideration of an application for a Development Variance Permit that will vary the Zoning Bylaw regulations, for multiple setback requirements, for a bare land strata subdivision under construction on Tomswood Road.

BACKGROUND

The developer has been working on a subdivision of a property on Tomswood Road. The project is a bare land strata subdivision. This differs from a traditional fee simple subdivision primarily in that the internal road and most of the services are private. Another key difference is that the average lot size of the entire subdivision is required to meet the minimum lot size of the RM1 District for a single family dwelling and this permits some smaller lots.

An example of a similar bare land strata development is located on upper Burde Street called Burde Hill Estates. This bare land strata project also received variances to setbacks.

The RM1 – Low Density Multiple Family Residential District (see attached) has the following setbacks:

Front Yard	7.5m (24.6 ft)
Rear Yard	9m (29.5 ft)
Side Yard	3.5m (11.5 ft)

The proposed setbacks for the strata lot subdivision are as follows:

Front Yard	5.5m (18 ft)
Rear Yard	6m (19.6 ft)
Side Yard	1.5m (4.9 ft)

DISCUSSION

The setback requirements of the RM1 District are more suited to standard multifamily building, where the setbacks would be applied to the perimeter of the property only. Because of the definition of a "Lot" in the zoning bylaw and because the RM1 District does not have different setbacks for single family dwellings, the full setbacks are required on each strata lot parcel. The setbacks requirements, especially the side yard setback are not well suited for this type of single family strata development.

The issue with the setback in the RM1 District will be permanently resolved during the Zoning Bylaw review process.

The proposed side yard setback is the same setback required on a standard R1 District single family house. The interior road for the subdivision is a private road for the strata and will have limited traffic. Essentially only residents and visitors will be using this road. The proposed front yard setback will not have an impact on any adjacent property. The proposed rear setback may have a minor impact. However, the property to the south is the AW Neil school track and the properties to the west have a creek between this project and any buildings. The property to the north is a five acre parcel and the buildings are located away from the strata development.

CONCLUSION

The proposed variances will allow for more appropriate setbacks for this type of development and will have little negative impact any adjacent properties. The Planning Department supports the requested variances.

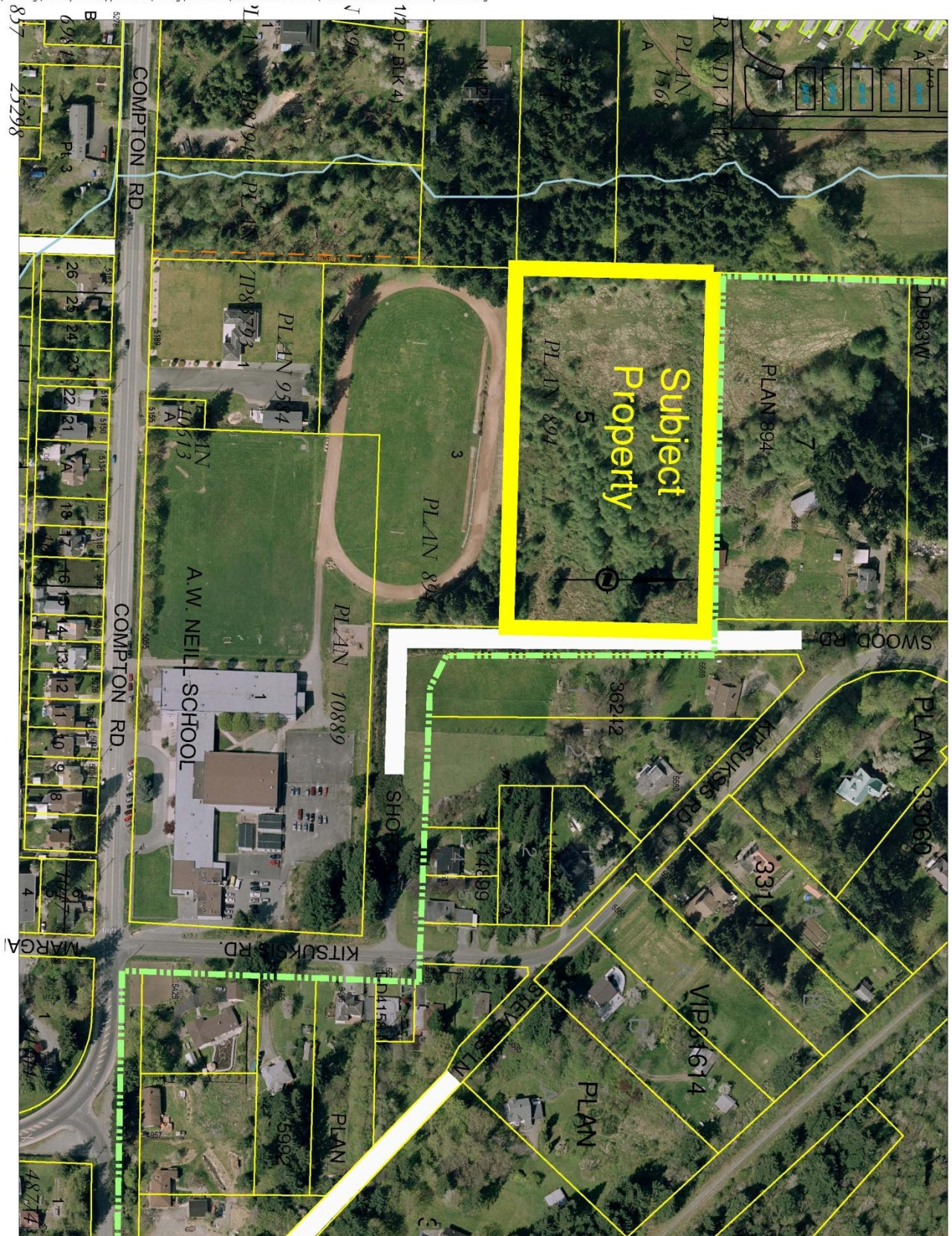
RECOMMENDATIONS

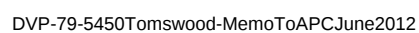
1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw #4395 as follows:*
 - a. *Vary Section 6.7.3 Bulk and Site Regulations Setback **for the Front Yard Setback from 7.5 metres to 5.5 meter** ; and*
 - b. *Vary Section 6.7.3 Bulk and Site Regulations Setback **for the Rear Yard Setback from 9 metres to 6 meter** ; and*
 - c. *Vary Section 6.7.3 Bulk and Site Regulations Setback **for the Side Yard Setback from 3.5 metres to 1.5 meter.***
2. *That City Council gives notice of intent to consider the issuance of a Development Variance Permit for Strata Lots 1 – 30, District Lot 20, Alberni District, Plan VIS7098.*

Respectfully submitted,



Scott Smith, MCIP
City Planner





Bylaw 4395

6.7 RM1 - LOW DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT

6.7.1 General Purpose

To establish and maintain areas for lower density townhouse, garden apartment, row, group, patio and terrace housing development particularly designed for family accommodation and compatible in both character and scale with the existing residential neighbourhood.

6.7.2 Permitted Uses

Single Family Dwelling
Two Family Dwelling
Multiple Family Dwellings

Groups of Single and Two Family or Multiple Family Dwellings, as an exception to 5.1

Senior Citizens Housing, up to 9 units
Extended Care Housing for Seniors
Boarding and Rooming Houses
Personal Care Facilities
Bed and Breakfasts
Home Occupations
Accessory Buildings and Uses

6.7.3 Bulk and Site Regulations

Minimum Lot Area		
Single Family Dwelling	548 m ²	(6000 ft ²)
Two Family Dwelling	736 m ²	(7920 ft ²)
Four (4) Units or Less	892 m ²	(9600 ft ²)
Over Four (4) Units	1,115 m ²	(12000 ft ²)

Minimum Frontage		
Single Family Dwelling	15.24 m	(50.0 ft)
Two Family Dwelling	20 m	(66.0 ft)
Four (4) Units or Less	24.4 m	(80.0 ft)
Over Four (4) Units	36.5 m	(120.0 ft)

Maximum Coverage	40%
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Bylaw 4395

Minimum Setbacks:

Front Yard	7.5 m	(24.6 ft)
Rear Yard	9 m	(29.5 ft)
Side Yard	3.5 m	(11.5 ft)

Maximum Floor Area Ratio 0.5

Maximum Building Height 9 m (29.5 ft)

Maximum Number of Principal
Building Storeys 2

6.7.4 Conditions of Use

Notwithstanding the provisions of 6.7.3,

- (a) Useable open space shall be provided on the lot at the rate of not less than 45 m² (484.4 ft²) for each dwelling unit containing 3 or more bedrooms, and not less than 28 m² (301.4 ft²) for each dwelling unit of smaller size.
- (b) Density bonusing may be utilized as follows:
 - (i) Where a minimum of ten percent (10%) of the dwelling units are designed as wheelchair accessible, the permitted maximum floor area ratio of the building may be increased by a maximum of 0.1; and
 - (ii) Where a minimum of ten percent (10%) of the dwelling units are designated as affordable, as specified in a Housing Agreement and where the owners enter into a Housing Agreement with the City, and where this Agreement is filed with the Land Title Office, the permitted maximum floor area ratio of the principal building may be increased by a maximum of 0.1; and
 - (iii) Where both (i) and (ii) are undertaken, the maximum permitted coverage may be increased by 5%.
- (c) The principal access to each dwelling unit shall be from an outdoor or unenclosed area.