



File # 11.60.00

To: Port Alberni Advisory Planning Commission

Wes Hewitt – Chair
Seva Dhaliwal – Vice Chair
Vern Barnett
Hedley Crowther
John Douglas
Mark Millin
Jim Tatoosh (Hupacasath First Nation)

Janice Johnson (Tseshah First Nation)
Larry Ransom - (SD #70 Liaison)
S. Sgt. D.N. Dave Paddock - (R.C.M.P. Liaison)
Councillor Chris Alemany (Council Liaison)
Randy Thoen (P.A.F.D. Liaison)
Jacob Colyn (Parks and Recreation Liaison)

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 - Jane MacNaughton/Tanis Feltrin - Clerks Department

Date: March 10, 2016

Re: Advisory Planning Commission Meeting
Thursday, March 17, 2016 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, March 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 February 18, 2016 meeting of the Advisory Planning Commission.**
- 2. DEVELOPMENT APPLICATION – Proposed amendments to the Official Community Plan Bylaw and Zoning Bylaw**

Burde Street - Lot B and Lot C, Rem. District Lot 48, Alberni District, Plan VIP68122
(PID Lot B: 024-356-701) (PID Lot C: 024-356-719)

Applicant: C. Bowerman as agent for 0853224 BC Ltd. Inc.

- 3. DEVELOPMENT APPLICATION – Proposed amendments to the Official Community Plan Bylaw and Zoning Bylaw**

3532 4th Avenue- Lot 8, Block 50, District Lot 1, Alberni District, Plan VIP197B
(PID: 009-258-931)

Applicant: D. Beecroft as agent for L. Terryberry

4. DEVELOPMENT APPLICATION – Proposed Development Variance

3820 - 10th Avenue - Block 171, District Lot 1, Alberni District, Plan VIP1603 Parcel C,
(Being a consolidation of Lots 7 to 10, See CA4623610)

Applicant: Alberni District Co-operative Association

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

6. Other business.

7. Adjournment. The next regular meeting is scheduled for **April 21, 2016.**



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on February 18, 2016
in the Committee Room at City Hall at 12:00 p.m.)**

Advisory Planning Commission

Wes Hewitt – Chair
Seva Dhaliwal – Vice-Chair
Hedley Crowther
Vern Barnett
Mark Millin
Larry Ransom - (SD #70 Liaison)
Councillor Chris Alemany (Council Liaison)
Randy Thoen (P.A.F.D. Liaison)

Staff

Scott Smith, City Planner
Cara Foden, Planning Technician

Regrets

Jim Tatoosh (Hupacasath First Nation)
S. Sgt. D.N. Dave Paddock - (R.C.M.P. Liaison)
Jacob Colyn (Parks and Recreation Liaison)
John Douglas
Janice Johnson (Tseshaht First Nation)

Guests - None

Alternates (not in attendance)

John Bennie (Alternate S.D.70)
Councillor Ron Paulson (Alternate–Council)
Sgt. Dave Boyce (Alternate–R.C.M.P.)
Steve Tatoosh (Hupacasath First Nation)



1. Adoption of December 17, 2015 Minutes

- Introductions were made.
- The minutes of the December 17, 2015 meeting of the Advisory Planning Commission were adopted.

(Barnett./Millin) CARRIED

2. Election of Chair and Vice-Chair for 2016

- Members elected the Chair and Vice-Chair for 2016 as follows:
 - Chair – Wes Hewitt
 - Vice-Chair – Seva Dhaliwal

3. Orientation Package

- City Planner reviewed the Orientation package.

4. Update – Status of current projects

- The City Planner updated the APC with regards to various projects within the City including, but not limited to, the following projects:
 - New Medical Marijuana Dispensary regulations were adopted into the Zoning Bylaw on January 25/16.
 - Two application will come forward to the March meeting:
 - OCP and Zoning amendments application for 3532 4th Avenue
 - OCP and Zoning amendments application for ~60 lot subdivision on upper Burde St.

- Apartment development at 4916 Athol St. will likely proceed as planned in the near future.
- Friendship Centre at 3555 4th Ave. has submitted new plans for a building permit.

5. **Other Business**

- No other business

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

(Barnett./Millin) CARRIED

City Clerk

Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: March 9, 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 68 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 Opens 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 mix of 'R3 Small Lot Single Family Residential', 'R1 – Single Family Residential' and 'P2 – Parks and Recreation'**.
- 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 mix of 'R3 Small Lot Single Family Residential', 'R1 – Single Family Residential' and 'P2 – Parks and Recreation'**.

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. The environmental wetland area and a proposed children's playground would be designated by a park zone. Because the subdivision layout is conceptual and will likely change as engineering proceeds and that the larger and small 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.

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 DCC's 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. A plan showing how the trail will be impacted, and how the trail will be replaced, is required prior to a public hearing.

An Environmental Assessment on the wetland and creek area of the property has been completed by a biologist (Clough Consulting). The report has determined the area to be protected from disturbances and identify the setbacks. The main portion of the environmental area will be dedicated to the City as natural space and four potential lots may require restrictive covenants. The details regarding the environmental areas will be required to be addressed in the preliminary layout approval during the subdivision process.

Conclusions

In considering the Official Community Plan and 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 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.

Recommendations

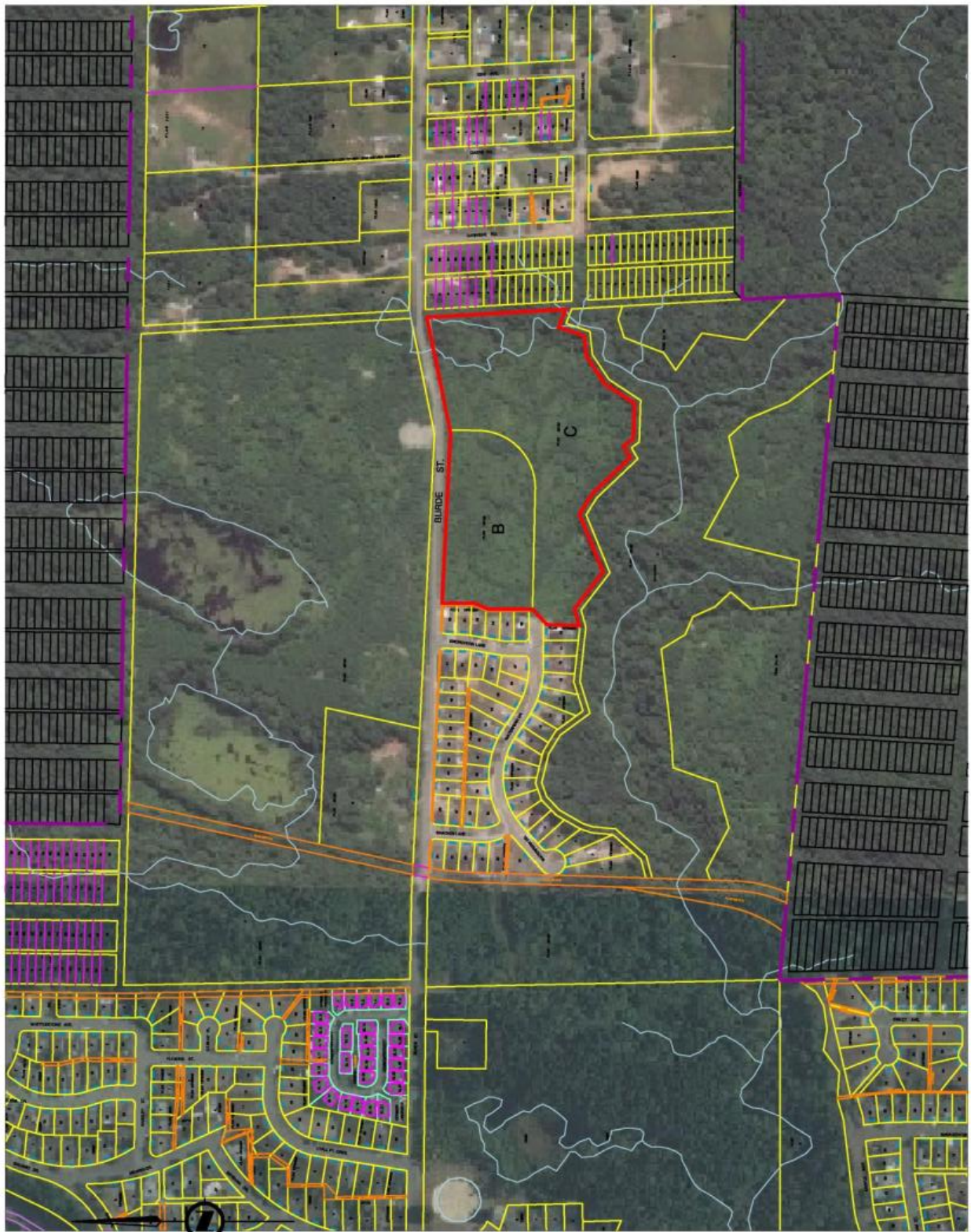
1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a text amendment to Zoning Bylaw 2014, Bylaw No. 4382 by adding a **CD1 – Comprehensive Development Zone One**.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with 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.

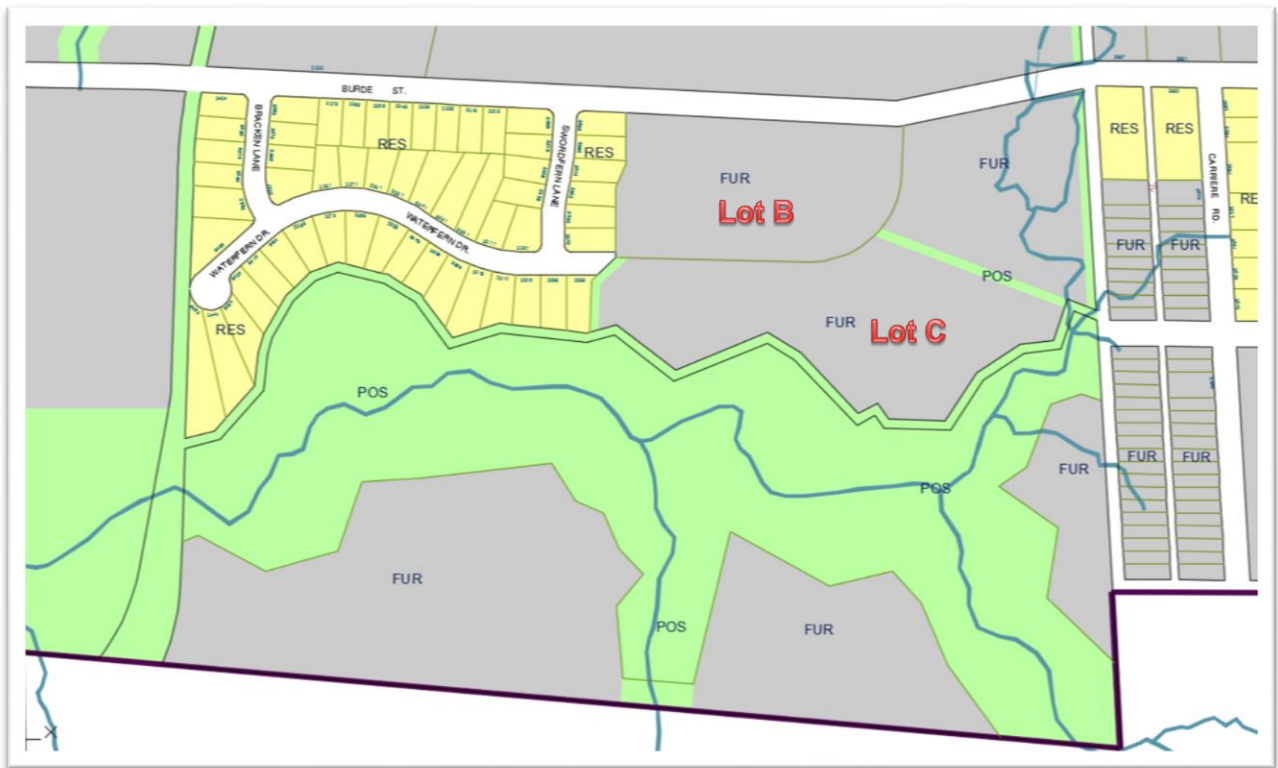
Respectfully submitted,



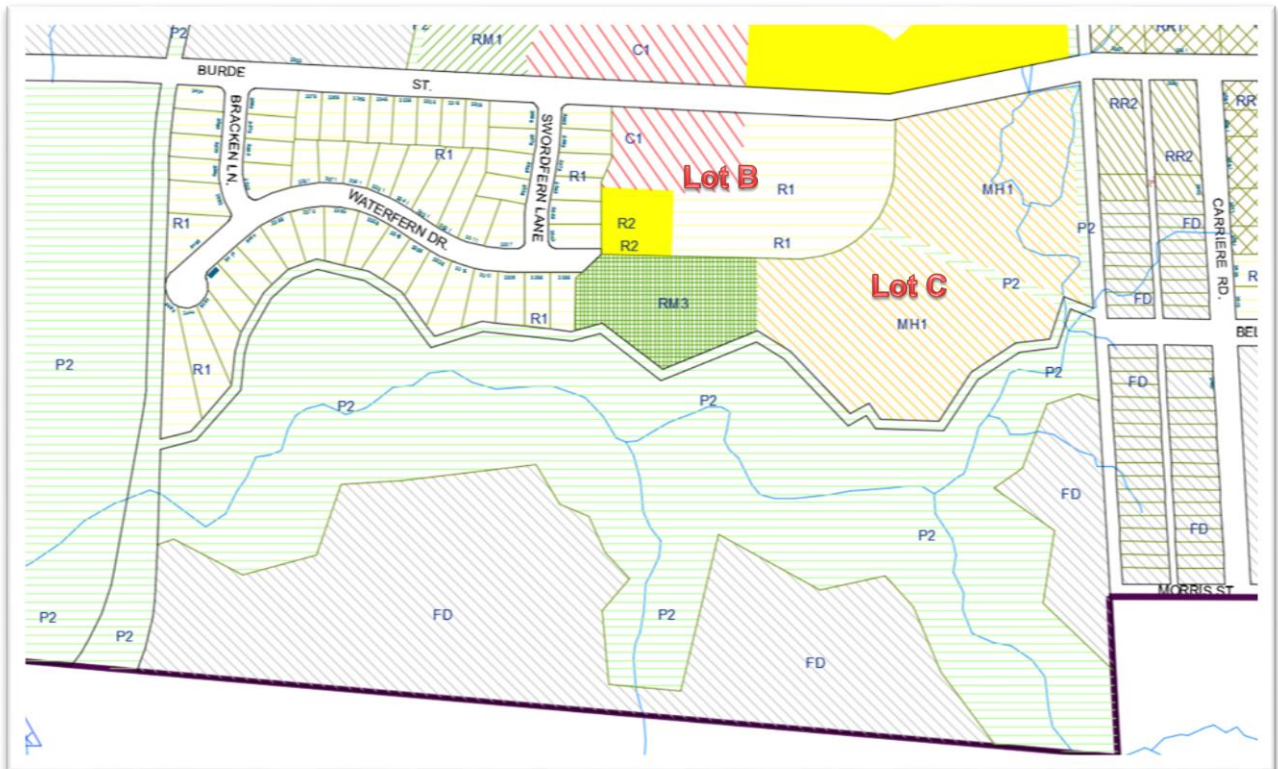
Scott Smith, MCIP
City Planner



CURRENT OCP



CURRENT ZONING







CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: March 10, 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 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 the proposed new daycare, are directly across 4th Avenue to the east. The old bottle depot (to be demolished by the City this year) is also to the east. A vacant lot and the LB Woodchopper storage yard are 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.

Conclusions

In considering the Official Community Plan and Zoning amendments the Advisory Planning Commission and 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, 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.

Recommendations

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.***

Respectfully submitted,



Scott Smith, MCIP
City Planner

PLAN 72-111

PT1

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3RD AVE.

BURDE ST.

4TH AVE.

NAPIER ST.

THE QUADRANT

SUBJECT PROPERTY

197B

EPP29273

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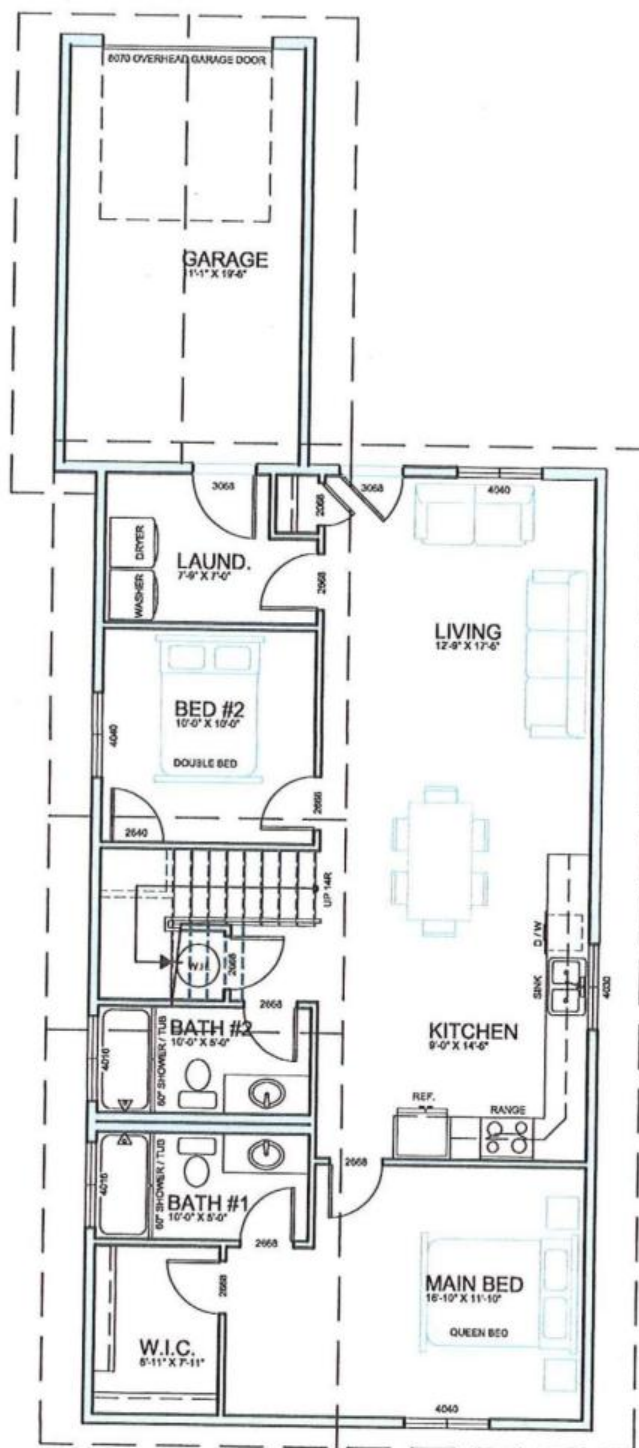
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MAIN FLOOR PLAN

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 <i>Setbacks</i> :		
<i>Front yard</i>	5 m	(16.4 ft)
<i>Rear yard</i>	5.5 m	(18.0 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum <i>Floor Area Ratio</i>	0.5	
Maximum Height, <i>Principal Building</i>	10 m	(32.8 ft)
Maximum Number of <i>Principal Building Storeys</i>	2.5	

5.13.3 Conditions of Use

Notwithstanding the provisions of 5.13.2,

- (a) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single *family dwellings* having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (c) The minimum permitted *setback* from the vehicle entrance of a principal or *accessory building* to a highway other than a *lane* is 5.8 m (19 ft).





CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: March 9, 2016

**SUBJECT: Development Variance Permit:
3820 10th Avenue**

Block 171, District Lot 1, Alberni District, Plan VIP1603 Parcel C, (Being a consolidation of Lots 7 to 10, See CA4623610)

PID: 029-637-376

Applicant: Alberni District Co-operative Association

Issue

To consider an application for a Development Variance Permit to vary the Zoning Bylaw regulations in order to permit a reduction in the rear yard setback for at 3820 10th Avenue.

Background

The Alberni District Co-operative Association (Co-op Gas) is proposing a 4 pump, 8 lane gas station and convenience store on 3820 10th Avenue. Amendments to the Official Community Plan Bylaw and Zoning Bylaw were approved in 2015 and the property is designated as follows:

- Official Community Plan Future Land Use – General Commercial
- Official Community Plan – Development Permit Area No. 2 (Commercial)
- Zoning Bylaw – C4 Highway Commercial

The attached site plan shows the overall development and a blown-up plan highlights the requested variance area. Elevations showing the rear of the building and the retaining wall are also attached. The Development Permit process will review the form and character of the project and will be presented to City Council for approval. This report will only cover the proposed variance to the Zoning Bylaw that has been requested for the project.

Discussion

The required rear yard setback in the C4 zone is 6 metres and the proposed rear yard setback for the convenience store is 2.8 metres. The applicant is requesting a variance of the rear yard setback from 6 metres (19.7 ft) to 2.8 metres (9.18 ft) a variance of 3.2 metres (10.5 ft).

A concrete retaining wall, with a fence along the top, will also be setback 2.8 metres from the rear property line. The area between the retaining wall and City lane will be paved for staff parking. The properties to the west on the other side of the lane are medical offices, zoned commercial. The convenience store does not have any windows facing the rear that could impact privacy on adjacent property.

Conclusion

The existing City lane provides separation between the Co-op gas project and the adjacent properties. The retaining wall and solid fence is setback from the property line and the convenience store has no rear windows. These factors will work to mitigate the possible impacts on the adjacent commercial properties.

The Planning Department supports the issuing of a Development Variance Permit to 3820 10th Avenue.

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 5.21.2 Site Development Regulations, for the Rear Yard Setback from 6 metres to 2.8 metres, a variance of 3.2 metres, on Block 171, District Lot 1, Alberni District, Plan VIP1603 Parcel C, (Being a consolidation of Lots 7 to 10, See CA4623610) PID: 029-637-376 (3820 10th Avenue).*
 - b. *That City Council give notice of intent to consider the issuance of a Development Variance Permit for Block 171, District Lot 1, Alberni District, Plan VIP1603 Parcel C, (Being a consolidation of Lots 7 to 10, See CA4623610) PID: 029-637-376 (3820 10th Avenue).*

Respectfully submitted,



Scott Smith, MCIP
City Planner

SUBJECT SITE – 3820 10th Avenue



