

To: Port Alberni Advisory Planning Commission

John Douglas Amy Anaka Jim Tatoosh (Hupacasath First Nation)	C.C. Cynthia Dick (Tseshaht First Nation) Larry Ransom - (SD #70 Liaison)
	Councillor Denis Sauvé (Council Liaison)
Ken McRae	Rick Newberry (P.A.F.D. Liaison)
Don Ferster	Rob Gaudreault (Parks Liaison)
Jeannette Nichols	S. Sgt. Terry Smith (R.C.M.P. Liaison)
Sandy McRuer	

- From: Scott Smith, Director of Development Services
- Copy: Councillor Ron Paulson (Alternate Council Liaison) John Bennie - (Alternate - School District #70) Steven Tatoosh (Alternate – Hupacasath First Nation) Sgt. Dave Boyce – (R.C.M.P. Liaison) Cara Foden - Development Services Technician Davina Hartwell, City Clerk / Tanis Feltrin / Lisa Krause - Clerks Department
- **Date:** January 10, 2018

Re: Advisory Planning Commission Meeting Thursday, January 18, 2018 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday**, **January 18**, **2018** 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).

<u>AGENDA</u>

- 1. Minutes of the December 21, 2017 meeting of the Advisory Planning Commission.
- 2. Election of Chair and Vice-Chair for 2018
- DEVELOPMENT APPLICATION Zoning Bylaw Amendment 3747 10th Avenue Applicant: Raymond de Beeld dba Raymond de Beeld Architect Inc. s Agent for owner Marlowe Yeoman Limited
- 4. Update Director of Development Services Status of current projects.
- 5. Other business.
- 6. Adjournment. The next regular meeting will be held on February 15, 2018.

File # 11.60.00



Summary Report / Minutes of the Advisory Planning Commission Meeting (Held on December 21, 2017, in the Committee Room at City Hall, at 12:00 p.m.)

Advisory Planning Commission

Wes Hewitt – Chair Seva Dhaliwal – Vice-Chair John Douglas Amy Anaka Ken McCrae Councillor Chris Alemany (Council Liaison) Rick Newberry Thoen (P.A.F.D. Liaison) S. Sgt. Terry Smith (R.C.M.P. Liaison) Rob Gaudreault (Parks Operations Liaison) Denis Sauve (Council Liaison)

<u>Staff</u>

Scott Smith, Director of Development Services Cara Foden, Dev. Services Technician

<u>Guests</u>

Members of the Public – 0 C. Power (Applicant) M. Sutherland (Applicant)

Regrets

Larry Ransom - (SD #70 Liaison) Cynthia Dick (C.C. Tseshaht First Nation) Jim Tatoosh (Hupacasath First Nation) Hedley Crowther

Alternates (not in attendance)

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

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1. Adoption of November 2, 2017 Minutes

- Introductions were made and guests welcomed by the Chair.
- The Director of Development Services (D.D.S.) advised the APC that one of the applicants for a Zoning Bylaw amendment (Agenda item No. 4 (J. and R. Elliot)) had formally withdrawn their application.
- The minutes of the November 2, 2017 meeting of the Advisory Planning Commission were adopted.

(McCrae / Douglas) CARRIED

- DEVELOPMENT APPLICATION Zoning Bylaw Amendment
 3665 12th Avenue Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427 (PID: 006-157-246)
 Applicant: C. Power
 - The Director of Development Services (D.D.S.) summarized his report to the APC dated December 13, 2017.
 - The APC discussed the application and were in agreement that the application was positive for the neighbourhood and community.

MOTIONS:

- a) 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 Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427 (PID: 006-157-246), located at 3665 12th Avenue, from 'R2 – One and Two Family Residential' to 'R3 – Small Lot Single Family Residential'.
- b) 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.

(Douglas / Dhaliwal) CARRIED

3. DEVELOPMENT APPLICATION - - Zoning Bylaw Amendment 2170 Mallory Drive

Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409) Applicant: Michael Sutherland as Agent for Mansett Family Holdings Inc. No.BC0589641

- The Director of Development Services (D.D.S.) summarized his report to the APC dated December 13, 2017.
- The APC discussed the application as follows:
 - The site is currently on septic field. There is a covenant on the property that prevents new building on the site unless sanitary sewer is provided. The connections to city sewer main would be expensive to install and are not required at this time as there will be no alteration or expansion of the existing building.
 - The traffic associated with the proposed uses will not likely impact the neighbourhood adversely.
 - Contamination was discussed and APC were advised that the Ministry of Environment and Climate Change had reviewed the Site Profile and Assessment that had been done on the site and had provided a release to allow the current uses. The site assessment that was done revealed only minor concerns which were discussed by APC members.
 - The Tseshaht First Nation was sent an initial referral package. No comments were received.
 - APC members asked about possibility of a Temporary Land Use Permit. The D.D.S. clarified that it was not possible under the current OCP designations but would be an option if those designations changed.
 - When asked if the existing building had been inspected for Fire and Building Code the D.D.S. indicated that the Building inspector had inspected the building and found it satisfactory. There is a private hydrant on the site.

- The discussion turned to the applicant's original desire to apply for a site specific zoning text amendment to the 'P1 Institutional' zone. Several members felt that the current OCP 'Residential' designation was more appropriate for the area and for the future of the site. Several options were discussed and clarified with respect to process and implications. D.D.S. clarified that bylaw amendments would require the same process for map or text amendments.
- The D.D.S. summarized the challenges of the site with respect to future Senior's housing or care facilities. (poor walkability, distance from transit, shopping and other services)
- When asked whether a site specific text amendment would be a preferable option the applicant indicated it would provide the most flexibility for him.
- There was discussion regarding the recommended motions of staff. Councilor Alemany asked about the repercussions of amending the bylaws to a state of misalignment and the D.D.S. advised that it was not generally recommended but that it could be done.

MOTIONS:

a) That the Advisory Planning Commission recommends to City Council that the City proceed with an amendment to the text of the Zoning Bylaw in the 'P1 – Institutional' zone by adding the following text to the Section 5.31.4 Site Specific uses table:

D.

Site – **2170 Mallory Drive -** Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
 - Small Engine Repair
 - Mechanic
 - Woodworking

ii. The following conditions apply Principle Uses listed in 5.31.4Di

a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.

(Douglas / Dhaliwal) CARRIED

- 4. Update Director of Development Services
 - Advised members that the bylaws "Official Community Plan Amendment No. 25 (4000 Burde Street – District Acquisitions Corp.), Bylaw No. 4952" and "Zoning Bylaw Map Amendment No. 27 (4000 Burde Street – District Acquisitions Corp.), Bylaw No. 4953" had been given 3rd reading and the developer planned to move forward in the new year.

- 5. <u>Other business</u> The D.D.S. acknowledged and thanked Wes Hewitt (Chair) and Seva Dhaliwal (Vice-Chair) for their service over the past six years. Both members have reached their maximum consecutive years of service.
- 6. <u>Adjournment</u> The meeting adjourned at 1:00 p.m. The next regularly scheduled meeting will be held on **January 18, 2018** at 12:00 pm in the Committee Room at City Hall.

(Douglas / Anaka) CARRIED

Davina Hartwell - City Clerk

WW-N

Wes Hewitt - Chair



DEVELOPMENT SERVICES DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, Director of Development Services

DATE: January 11, 2018

SUBJECT: DEVELOPMENT APPLICATION - Proposed Zoning Bylaw Amendments 3747 10th Avenue Applicant: Raymond de Beeld Architect as agent for Marlowe Yeoman Limited

lssue

At issue is the consideration of an application for text amendments to the Zoning Bylaw to facilitate the redevelopment of a portion of the shopping centre located at 3747 10th Avenue.

Background

The applicant wishes to develop a mixed (commercial and residential) use building in vacant commercial space formerly occupied by a grocery store (Fairway Market) within the shopping centre. Existing businesses and operational commercial spaces within the shopping centre would remain. The former grocery store space would be developed into a 5 story building with ground floor commercial spaces with a rear parkade and four residential storeys above.

The parcel occupied by the shopping centre is $\pm 12,682 \text{ m}^2$ ($\pm 1.3 \text{ ha} / 3.1 \text{ acres}$). An additional 768.5 m² on an adjoining lot is used as additional parking. The subject parcel has ± 138.8 metres ($\pm 455.4 \text{ ft.}$) of frontage along 10th Avenue, ± 80.5 metres ($\pm 264.2 \text{ ft.}$) of frontage along Bute Street and ± 51.8 metres ($\pm 170.1 \text{ ft.}$) of frontage along Redford Street. The east property line running parallel to an adjacent lane is $\pm 167.1 \text{ metres}$ ($\pm 548.1 \text{ ft.}$). The space formerly occupied by the Fairway Market grocery store is $\pm 1,553 \text{ m}^2$ ($\pm 16,715 \text{ ft}^2$)

The C2 General Commercial zone currently restricts building height to a maximum of two (2) storeys with a maximum height of nine (9) metres. There is also a requirement that the portion of the building containing residential units have a completely separate and independent entrance directly onto a public street. This report will give consideration to text amendments to the C2 General Commercial zone that would:

• Where a parcel is greater than 1120m² (12,056 ft²) in size, increase the permitted *Maximum Height, Principal Building*' for residential development in a mixed use (commercial/residential) building where the residential use is located above commercial uses; and

- Where a parcel is greater than 1120m² (12,056 ft²) in size, increase the *'Maximum Number of Principal Building Storeys'*, for residential development in a mixed use (commercial/residential) building and where the residential use is located above commercial uses; and
- Ensure that the residential portion of a mixed use building is directly accessed from the outdoors at ground/street level through an entrance that is completely separate from and independent of any commercial unit or commercial unit access.

Official Community Plan Bylaw and Zoning Bylaw designations

- a) The property located at 3747 10th Avenue is currently designated 'General Commercial' on the Official Community Plan Schedule A Land Use Map. A map amendment is not required.
- b) The property located at 3747 10th Avenue is included in Development Permit Area No. 3 Commercial (General) on the Official Community Plan Schedule B – Development Permit Area Map. The applicant will be required to apply for a Development Permit prior to receiving a building permit.
- c) The property located at 3747 10th Avenue is currently zoned 'C2 General Commercial' on the Zoning Bylaw Schedule A Zoning Map. A map amendment is not required.
- d) Text amendments under Section 5.19.3 Conditions of Use in the 'C2 General Commercial' zone would be required as follows:
 - a. Delete Section 5.19.3(c)(i) text "A completely separate and independent entrance to the dwelling unit shall be provided from a ground floor entrance having access directly onto the public street."; and
 - b. Add Section 5.19.3(c)(i) text "Access to residential portions of a building shall be through a completely separate and independent entrance located at ground/street level and providing access to the outdoors directly onto a public street or approved pedestrian thoroughfare/walkway through the property."; and
 - c. Delete text Section 5.19.2 "Maximum Height, Principal Building and Maximum Number of Principal Building Storeys"; and add the following text to Section 5.19.2:

Maximum Height, Principal Building (on lots less than 1120m²)9 m (29.5 ft.)Maximum Height, Principal Building (on lots of 1120m² or greater and where only
residential units are located above commercial uses)18 m (59 ft.)

Maximum Number of Principal Building Storeys (on lots less than 1120m²) 2 Maximum Number of Principal Building Storeys (on lots of 1120m² or greater and where only residential units only are located above commercial uses) 5"

The proposed text amendments would apply to all properties designated 'C2 General Commercial'.

Discussion

The application would facilitate the redevelopment of the former grocery store space with a 5 storey building (see attached concept plans). The first level would have four commercial units fronting towards 10th Avenue, an entrance to the residential units and a parkade to the rear of project, with the four (4) upper storeys comprised of 48 residential dwelling units.

Surrounding Area and Official Community Plan

The commercial hub located at Redford Street and 10th Avenue has a variety of uses, including a grocery store, eateries, pharmacy and banking all within easy walking distance. There is a ground level multi-family development immediately adjacent to the east of the site and the area further east, contains a mix of residential uses with single family residential use being predominant. To the north of the site there are commercial uses along Redford Street and further north there is a mix of single and multi-family residential uses including several larger apartment buildings located north of Redford Street. To the south across Bute Street the City of Port Alberni Fire Hall is located at the intersection of 10th Avenue with Bute Street. Further south the use is predominately single family residential. To the west, across 10th Avenue, the use is commercial followed by a mix of single and multi-family residential uses.

The Official Community Plan policy states that the City will consider the following criteria for new areas for multi-family development:

- Should be within walking distance (approx. 800 m) of commercial, recreational, public/institutional nodes, or community scale parks;
- Should be located on or in proximity to major collectors or arterial roads in order to reduce traffic impacts on local roads; and
- An adequate transition between lower density housing and compatibility with adjacent land uses must be provided.

The shopping centre on the site makes up a significant portion of the commercial hub at 10th Avenue and Redford Street. The shopping centre itself contains a pharmacy, laundromat, bank, eateries, coffee shop and there is a grocery store across 10th Avenue. The Echo Community centre, housing a pool, museum and library, is located within an 800 metre radius of the site and access to the Dry Creek walking trail network and ravine is close by.

Both 10th Avenue and Redford Street are designated as arterial roads and transit is readily available, including the transit hub located nearby at 12th Avenue and Redford Street.

Good architectural design will need to be considered during the Development Permit process to ensure compatibility with the existing neighbourhood.

Infrastructure and Servicing:

- Water: There are water mains running along Redford Street, Bute Street and along 10th Avenue.
- Storm: Main is located along Redford Street and there is service in the south portion of the lane to the east of the site.
- Sewer: The main sanitary sewer connection is from 10th Avenue. There are mains along Redford Street and also available from 10th Avenue and Bute Street.

The capability of the existing infrastructure for the apartment building will need to be proven out by the developers' engineer and approved by the City Engineering department.

<u>Height</u>

The applicant wishes to increase the number of building storeys permitted in the C2 General Commercial zone to facilitate the development of a 5 storey building in which commercial use tenants would occupy the ground level and four (4) upper storeys would be comprised of 48 residential dwelling units. There are relatively few parcels of land designated 'C2' and many are

smaller in size than 1120 m². The proposed minimum lot size requirement of 1120 m² that would permit the increased building height aligns with the minimum parcel size required in the 'RM3 High Density Multiple Family Residential' zone. A Sun Study diagram should be required prior to the Public Hearing to demonstrate any potential shadow effect.

Parking:

The proposed apartment building will require additional parking for the residential units. A covered parkade at grade is proposed with access from the rear lane.

Parking requirements in Zoning Bylaw	Proposed Uses	Required Spaces	Proposed Spaces
Required Parking for Residential units in a C2 zone is 1 space per unit.	48 Residential Units	48	34
Commercial spaces in Shopping Centre with more than 10 commercial units are required at 1 per 17 m ² of gross leasable floor space	Commercial space area after the redevelopment is 3,644 m ²	214	213

There are 34 parking spaces proposed in the parkade for the multi-family residential units. Based on the proposed 48 residential units, 48 parking spaces would be required. This is a concept plan at this stage, but a residential parking solution will need to be determined prior to final development permit approval of the apartment building. With the apartment building located in the 10th Avenue and Redford Street commercial hub and the available public transit many tenants may not need a private vehicle. A variance to the required parking for the apartment building could be considered during the Development Permit process, once a more detailed plan has been completed.

The property owner also owns a separate legal parcel at the southeast corner of the intersection of 10th Avenue and Redford Street. This parcel is currently used as parking for the shopping centre. This was the site of a former gas station and although it was remediated, it has remained a separate parcel. In order to include these parking spaces to meet the parking requirements for the shopping centre the lots should be consolidated. If the consolidation of the lots is problematic because of the former gas station use, a restrictive covenant requiring that the lots must be sold together is another option.

Conclusions

In considering the Zoning amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the community and for development in the 'C2 General Commercial' zone.

The detailed plans for the new commercial space and residential apartments will be considered during the Development Permit process. There are a number of multi-level residential apartment buildings nearby to the site and the increase in height should not have any negative impacts for the area. A Sun Study should be required prior to the Public Hearing to demonstrate any potential shadow effect. This project is within the heart of the 10th Avenue and Redford commercial area and has excellent road and transit.

The Official Community Plan is supportive of encouraging development within existing developed areas through infill and redevelopment. The proposed bylaw amendments are compatible with the neighbourhood and the Development Services Department supports amending the bylaw.

Recommendations

- **1.** That the Advisory Planning Commission recommends to City Council that the City proceed with text amendments to Zoning Bylaw 2014, Bylaw No. 4382 as follows:
 - a) Delete Section 5.19.3(c)(i) text "A completely separate and independent entrance to the dwelling unit shall be provided from a ground floor entrance having access directly onto the public street."; and
 - b) Add Section 5.19.3(c)(i) text "Access to residential portions of a building shall be through a completely separate and independent entrance located at ground/street level and providing access to the outdoors directly onto a public street or approved pedestrian thoroughfare/walkway through the property."; and
 - c) Delete text Section 5.19.2 "Maximum Height, Principal Building and Maximum Number of Principal Building Storeys"; and add the following text to Section 5.19.2:

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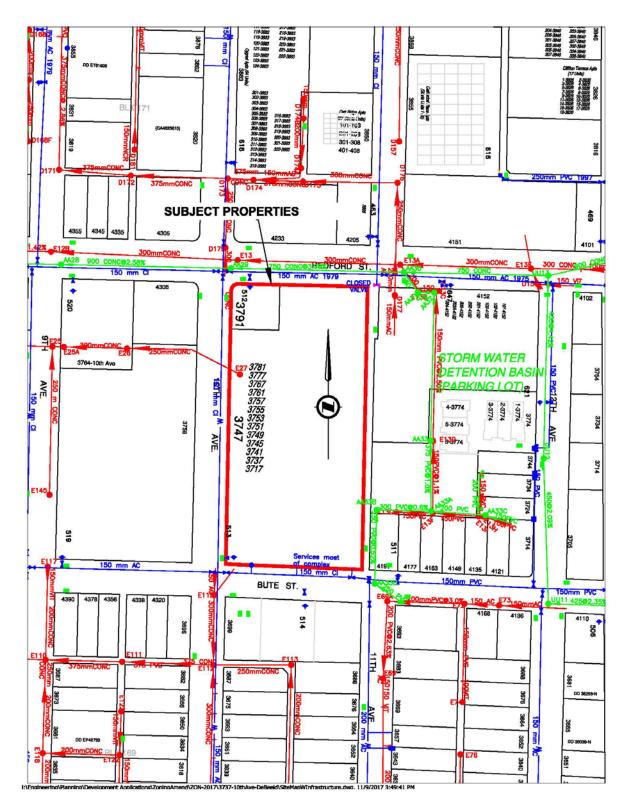
2. That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to submit a Sun Study diagram before the Public Hearing.

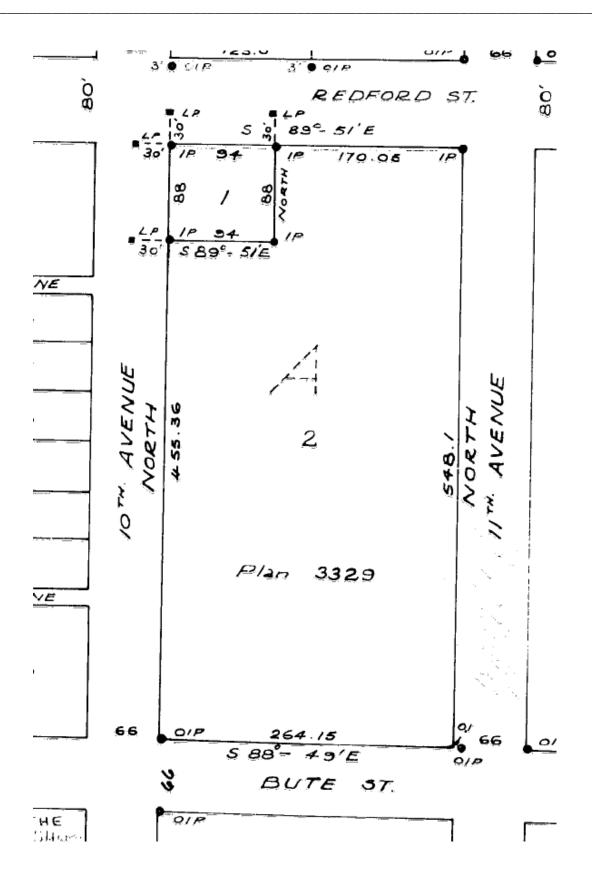
Respectfully submitted,

Scott Smith, MCIP Director of Development Services



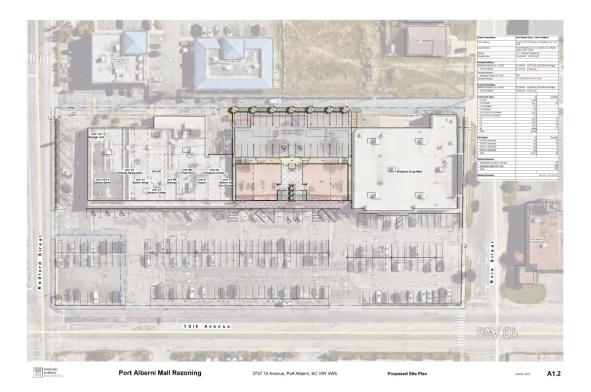
AREA INFRASTRUCTURE

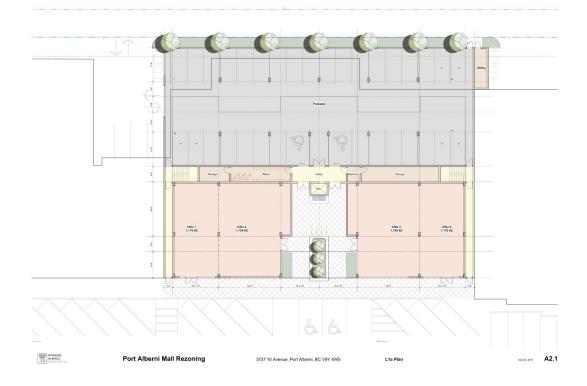


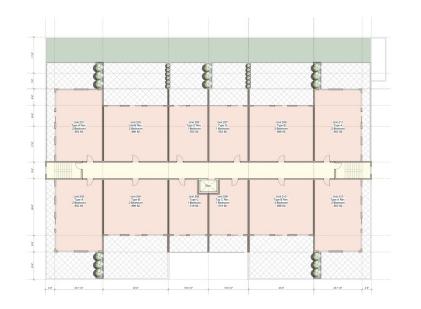




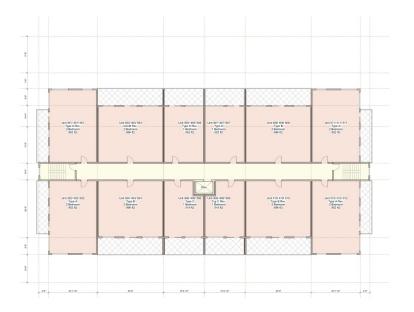
PROPOSED SITE PLAN – 3747 10th AVENUE





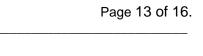






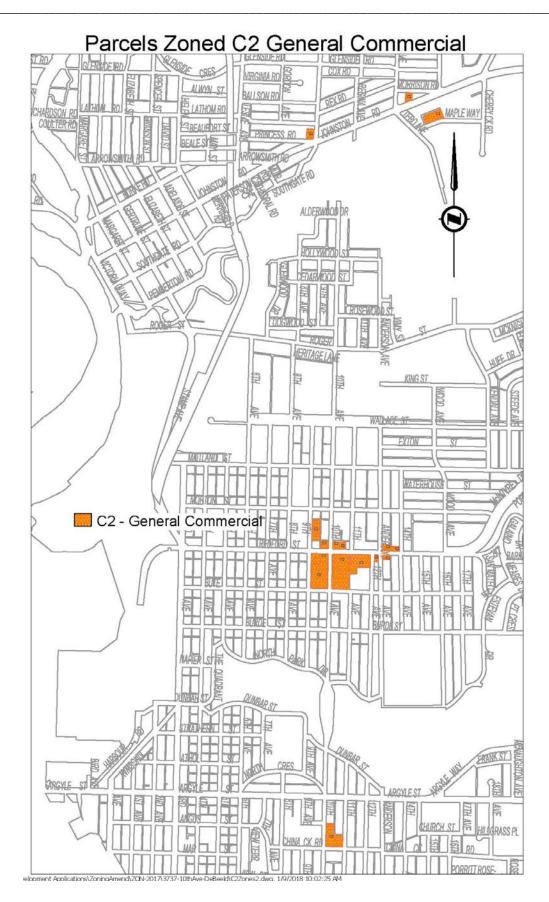
RAYMOND Ge BEILD ARCHITECT Inc.	Port Alberni Mall Rezoning	3737 10 Avenue, Port Alberni, BC V9Y 4W5	L3/ L4/ L5a Plan	Oct 23, 2017	A2.3











Bylaw 4832

C2 – GENERAL COMMERCIAL

5.19 The purpose of this *zone* is to establish and maintain compact, vibrant commercial areas with a broad range of pedestrian-scale *uses*.

5.19.1	Permitted uses		
	Principal Uses	Principal Uses (continued)	
	Amusement establishment	School	
	Appliance repair	Seniors housing	
	Artist's studio	Shopping centre	
	Assembly	Small appliances and electroni	cs. sales and
	Automotive sales, repair and	repair	,
	servicing	Social service centre	
	Bakery	Tourist service	
	Bank or other financial institution	Veterinary clinic	
	Club or lodge	verennery enne	
	Community care facility		
	Day care or other preschool		
	Gasoline service station	Accessory Uses	_
	Live-work	Caretaker's dwelling unit, subje	ct to Section
	Medical service	6.16	
	Multiple family dwelling	Dwelling unit(s) above or behin	d a permitted
	Office	commercial use	
	Pawn shop	Home occupation	
	Personal service		
	Place of worship	Site Specific Uses	
	Professional service	Liquor, Wine and Beer Store	
	1.02 10 8/01 16	Equal, which and beer store	
	Public market		
	Restaurant, including drive-through		
	Retail		
F 10 2	Cite Development Desculations		
5.19.2	Site Development Regulations	800 m ²	(0 C11 (1 ²)
	Minimum Lot Area		(8,611 ft ²)
	Minimum Frontage	15 m	(49 ft)
	Maximum Coverage	75%	
	Minimum Setbacks:		
	Front yard	0 m	
	Rear yard	3 m	(10 ft)
	Side yard	1.5 m	(5 ft)
	Maximum Height, Principal Building	9 m	(29.5 ft)
	Maximum Number of Principal Buildin	ng Storeys 2	

City of Port Alberni Zoning Bylaw, 2014

Page 48

Bylaw 4832

5.19.3 Conditions of Use

- (a) Every *use* shall be conducted within a completely enclosed *building* except for:
 - parking,
 - loading,
 - restaurant patios,
 - outdoor display,
 - rental, sales or storage yards,
 - activities related to the operation of a drive-through or drive-in facility,
 - activities done at gasoline service station pumps and
 - temporary garden supply structures.
- (b) For *shopping centres* abutting a *lot* in an R, RM or P2 *zone*, the required *setback* for a *side yard* shall be increased to 5 m (16.4 ft).
- (c) *Dwelling* units located above or behind commercial *uses* shall comply with the following requirements:

(i) A completely separate and independent entrance to the *dwelling* unit shall be provided from a ground floor entrance having access directly onto the public *street*.

(ii) All dwelling units shall be entirely self-contained.

(iii) One off-*street parking space* shall be provided for each *dwelling* unit, located so as not to impair access to the commercial premises or the *use* of off-*street* loading facilities.

- (d) Where multiple *family dwelling* units or seniors housing are located below the second *storey*, the Site Development Regulations of the RM3 Higher Density Residential *zone* shall apply.
- (e) No outside storage for *public market use* shall be permitted after market hours.
- (f) In *dwelling* units above or behind commercial *uses, home occupation* as a permitted *use* is restricted to *office* space for a business which is lawfully carried on at another location.
- 5.19.4 <u>Site Specific Uses</u>

The following uses shall be permitted on a site specific basis:

<u>Use</u>	Site Address	Site Legal Description
Liquor, Wine and Beer	3764 10 th Avenue	Lot B, District Lot 1, Alberni
Store		District, Plan VIP75178