



**To:** Port Alberni Advisory Planning Commission

Ken McRae (Chair)	Chief Councillor Cynthia Dick (Tseshah First Nation)
John Douglas (Vice-Chair)	Chris Washington - (SD #70)
Amy Anaka	Councillor Deb Haggard (Council Liaison)
Jim Tatoosh (Hupacasath First Nation)	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:** Katelyn McDougall, Manager of Planning

**Copy:** Councillor Helen Poon - (Alternate - Council Liaison)  
Larry Ransom - (Alternate - School District #70)  
Sgt. Peter Dione – (Alternate – R.C.M.P. Liaison)  
Steven Tatoosh (Alternate – Hupacasath First Nation)  
Darren Mead-Miller (Alternate – Tseshah First Nation)  
Cara Foden – Development Services Technician  
Davina Hartwell - City Clerk  
Tanis Feltrin/Sara Darling - Clerks Department

**Date:** July 12, 2019

**Re:** Advisory Planning Commission Meeting  
Thursday, July 18, 2019 at 12:00 pm in the Committee Room at City Hall

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A meeting of the Advisory Planning Commission has been scheduled for Thursday, July 18, 2019 at 12:00 pm in the Committee Room at City Hall. If you have any questions or are unable to attend please contact Katelyn McDougall at 250-720-2808 (voice mail available).

#### AGENDA

1. Acknowledgements - This APC meeting is being held within the un-ceded traditional territories of the Hupačasath and the Tseshah (č išaaʔath) First Nations
2. Minutes of the June 27, 2019 meeting of the Advisory Planning Commission.
3. **DEVELOPMENT APPLICATION - Development Variance Permit**  
**3978 8th Avenue**  
Lots 2 and 3, Block 178, District Lot 1, Alberni District, Plan VIP1603  
(PID: 007-123-434, 007-123-418)  
**Applicant:** Wes Hewitt as agent for Port Alberni Shelter Society

**4. DEVELOPMENT APPLICATION - Development Variance Permit**

**4917 Margaret Street**

Lot 2, Block 1, District Lot 12, Alberni District, Plan VIP1010 (PID: 008-131-520)

**Applicant:** Michael Redman as agent for Robin Redman dba Redmark Ventures Ltd., INC.NO. BC0681816

5. Update – Manager of Planning - Status of current projects.
6. Other business.
7. Adjournment. The next regular meeting is being requested for August 15, 2019.



**Summary Report / Minutes of the Advisory Planning Commission Meeting  
(Held on June 27, 2019  
in the Committee Room at City Hall, at 12:00 p.m.)**

**Advisory Planning Commission Present**

Ken McRae (Chair)  
John Douglas (Vice-Chair)  
Sandy McRuer  
Jeannette Nichols  
Chris Washington, S.D.70 Liaison  
Amy Anaka  
Don Ferster  
Councillor Deb Haggard, Council Liaison  
Rick Newberry, P.A.F.D. Liaison

**Staff**

Katelyn McDougall, Manager of Planning  
Cara Foden, Planning Technician

**Guests**

Applicant: R. de Beeld,  
Members of the Public: 3

**Regrets**

Larry Ransom (Alternate S.D.70)  
Jim Tatoosh, Hupačasath F. N.  
Sgt. Clive Seabrook, R.C.M.P. Liaison  
Cynthia Dick, Tseshaht (č išaaʔath) F. N.  
Rob Gaudreault, Parks Liaison

**Alternates (not in attendance)**

Councillor Helen Poon (Alternate–Council)  
Peter Dione (Alternate–R.C.M.P.)  
Darren Mead-Miller (Alternate – Tseshaht F.N.)



**1. Adoption of May 23, 2019 Minutes**

- The Chair acknowledged that this meeting is taking place within the un-ceded traditional territories of the Hupačasath and the Tseshaht (č išaaʔath) First Nations. The applicant present was welcomed by the Chair.
- Introductions and Minutes of the May 23, 2019 meeting of the Advisory Planning Commission were adopted.
- APC members indicated that future agendas could be emailed to them and hardcopies would be printed and available at the meetings.

**(Anaka / Nicols) CARRIED**

**2. DEVELOPMENT APPLICATION – Zoning Bylaw Map and Text amendments**

**4202 8th Avenue** - Lot 10, District Lot 1, Alberni District, Plan VIP18042

(Strata Lots 1-18, VIS3015); and

**4238 8th Avenue** - Lot 11, District Lot 1, Alberni District, Plan VIP18042;

(Strata Lots 1-20, VIS3017)

**Applicant:** Raymond de Beeld dba Raymond de Beeld Architect Inc.

- The Manager of Planning summarized her report to the APC dated June 20, 2019.
- The APC discussed the application as follows:
  - Although there are currently 38 strata units there are only three owners.
  - Proposed Parking and Open Space requirements do not meet bylaw requirements and will likely be addressed through the Development Permit process.
  - Access is proposed through the city lane which does not meet city requirements. The Development Permit process will need to take access into consideration.

- The development was discussed as being a positive one for the community and concern was expressed regarding how the city could encourage ongoing maintenance of an attractive development.
- The site should be developed with awareness that a creek and springs formerly ran through the site.
- Density bonusing versus up zoning was clarified by the Manager of Planning.
- There was considerable discussion regarding the repercussions to current tenants in the units. C. Long., employed by one of the current owners to manage tenancy, provided information regarding possible options. She reported that tenants have already been notified of the redevelopment plans and will have right of first refusal at less than market value on the new units once constructed. It was suggested that some tenants will start finding new accommodations before being forced to do so. The project will likely be a phased development which would allow for some rehousing of tenants into empty units while each new building was under construction.
- The applicant, R. de Beeld, spoke to the need for detailed design during the Development Permit process. The proposed buildings contain a mix of unit sizes and configurations that will serve a variety of needs from one to three bedrooms. The phasing of construction would allow for some rehousing during the construction periods. The proposed underground parking is designed to take advantage of the natural grade and topography. The timeline for the project will be largely determined by the owners once the Development Permit process has been completed.
- The P.A.F.D. is supportive of the redevelopment of the site and newer buildings built to code would be safer for the community in the long term. Adding newer housing stock leads to lower rents in older housing stock.
- The practicality and expense of a “green roof” design was discussed along with the Open Space requirement.
- The APC agreed that:
  - they would like to see low income or affordable housing goals be articulated and addressed within the project
  - alternative transportation supports should be considered within the project (Parking alternatives, bicycle racks, electric vehicle charging etc.)
  - green space allocation should be a high priority
- It was noted that as energy costs rise the utility costs rise in older, less efficient buildings and the current buildings are becoming very costly to maintain.

#### **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 Lots 10 and 11, District Lot 1, Alberni District, Plan VIP18042 located at **4232 and 4202 8<sup>th</sup> Avenue** from ‘**RM1 Low Density Multiple Family Residential**’ to ‘**RM3 High Density Multiple Family Residential**’ zone.*

- b) *That the Advisory Planning Commission recommends to City Council that the City proceed with a text amendment to the Zoning Bylaw as follows:*

Add Section 5.16.4 Site Specific Uses table as follows:

Use	Site Address	Site Legal Description
Maximum Height, Principal Building = 18 m (59 ft); and Maximum Number of Building Storeys = 5	4202 and 4238 8 <sup>th</sup> Avenue	4202 8 <sup>th</sup> Avenue - <i>Strata Lots 1-18, District Lot 1, Alberni District, Plan VIS3015 and</i> 4238 8 <sup>th</sup> Avenue - <i>Strata Lots 1-20, District Lot 1, Alberni District, Plan VIS3017</i>

- c) *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to consolidate the properties into one legal parcel prior to final adoption of the proposed zoning amendments.*

**(Douglas / Washington ) CARRIED**

### **3. Cannabis Cultivation and Processing Project**

The Manager of Planning reported to the APC that Council had directed staff to move ahead with the Cannabis Cultivation and Processing project and to simultaneously move forward with a Temporary Use Permit application for 5119 Athol Street.

A summary of the timeframe and the proposed public consultation process was presented. The City will work with V.I.U. to determine recommendations for appropriate zoning regulations for the community with respect to the cultivation and processing of cannabis.

### **4. Brownfield revitalization**

The Manager of Planning presented a summary of the challenges and benefits of Brownfield revitalization. Having recently attended conferences in Windsor and Toronto she was able to share with the APC some examples of more local brownfield redevelopment successes.

### **5. Update:**

The Manager of Planning gave a status update on current projects.

- Public hearing held June 24<sup>th</sup> for 5189 Compton Rd zoning amendment.
- Public hearing for Fence and Hedge height zoning amendments is scheduled for July 22.
- RFP for Harbourview lands has been issued and is available online
- July 15, 2 pm – presentation will be made during Council meeting regarding Railway Station redesign.
- Upcoming zoning and variance applications will include:
  - 10<sup>th</sup> Avenue (Quality Foods - Zoning amendment)
  - Swallow Drive (OCP and Zoning amendments)
  - 4971 Margaret Street (Development Variance application)
  - 3978 8<sup>th</sup> Avenue (Development Variance application)

6. **Other business** – No other business

7. **Adjournment** – The meeting adjourned at 1:10 p.m. The next regular meeting is scheduled for Thursday, July 18, 2019.

**(Ferster / McRuer) CARRIED**



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Davina Hartwell - City Clerk

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Ken McRae – Chair



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

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TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: July 11, 2019

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**SUBJECT: DEVELOPMENT APPLICATION - Development Variance Permit**  
**3978 8<sup>th</sup> Avenue** - Lots 2 & 3, Block 178, District Lot 1, Alberni District, Plan  
VIP1603 (PID: 007-123-434)  
**Applicant:** Wes Hewit as Agent for Port Alberni Shelter Society

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### ISSUE

At issue is the consideration of an application for a Development Variance Permit (DVP). The applicant is looking to vary the front and rear yard setbacks, the maximum lot coverage, and the parking requirements in order to redevelop the site with certain number of units, and to include an elevator for accessibility purposes.

### BACKGROUND

The applicant wishes to redevelop the property at 3978 8<sup>th</sup> Avenue. The applicant is seeking relief from certain regulations of the Zoning Bylaw in order to permit the construction of an affordable housing facility targeted to fixed and low-income seniors. The proposed three-storey development will replace an existing two-storey building that was constructed in the 1970s. The existing building is outdated, inefficient, and ill-suited for the desired use. The variances will facilitate a greater use of the site, allowing for more units and an accessible elevator on site to be included in the development. The following variances have been requested on the assumption that **the variances will be granted only after consolidation of the site into one legal parcel**:

Zoning Requirements	Required	Proposed	Requested Variance
Front Yard Setback	7.5 m (24.6')	4.8 m (15.7')	2.7 m
Rear Yard Setback	9.0 m (29.5')	0.5 m (1.64')	8.5 m
Maximum Lot Coverage	40%	45%	5%
Parking Spaces (1 per 3 units) plus spaces totaling 15% of total units	10 spaces	6 spaces	4 spaces

The project has been designed with the intent of modular construction in order to shorten the project schedule, and positively impact construction costs. The project will adhere to BC Housing's Design Guidelines and Construction Standards, including the energy performance of Step Code 3. During the procurement phase, local contractors and construction materials will be pursued.

## **DISCUSSION**

### **The Property**

The property at 3978 8<sup>th</sup> Avenue is designated 'Institutional' in the OCP and zoned '*P1 - Institutional*' in the Zoning Bylaw. The property is approximately 38 m (124.5 ft) wide, and has a depth of 25.5 m (83.6 ft) giving it an area of roughly 987 m<sup>2</sup> (10625 ft<sup>2</sup>).

The new purpose-built development will replace, and expand upon, the Society's current operation of short-to-medium term beds, with extreme weather spaces. The existing building on the subject property was constructed in 1972, and does not conform to all aspects of the Zoning Bylaw requirements. The building was first developed as a convent, and even with multiple renovations over the years the building remains inefficient and ill-suited to community services or rental housing.

The proposed project includes twenty-one (21) one-bedroom units of approximately 520 ft<sup>2</sup>/48 m<sup>2</sup> each in a three-storey, modular construction building. An amenity area will be oriented toward the green space on the property, and will be served by the elevator.

### **Surrounding Area**

The subject property is located on the south side of Maitland St and the west side of 8<sup>th</sup> Ave. The surrounding neighborhood contains a mix of residential, commercial, and institutional uses, including the John Paul II Catholic School and the Royal Mounted Police Department which are both less than a block away.

The Alberni Valley Museum and the West Coast General Hospital are also nearby. A commercial center and transit hub are located within walking distance, and to the south of the subject property is Dry Creek Park and Gyro Recreation Park. The subject property is located across the street from a modular housing project that is also run by the Port Alberni Shelter Society.

The variances, as proposed, will not pose any adverse impact on the surrounding uses.

### **Site Plan**

The applicant has proposed to construct a new three-storey modular building with a total of 21 units. An outdoor amenity space will be provided at the south west corner of the property, which will be used for social and educational activities.

### **Lot Consolidation:**

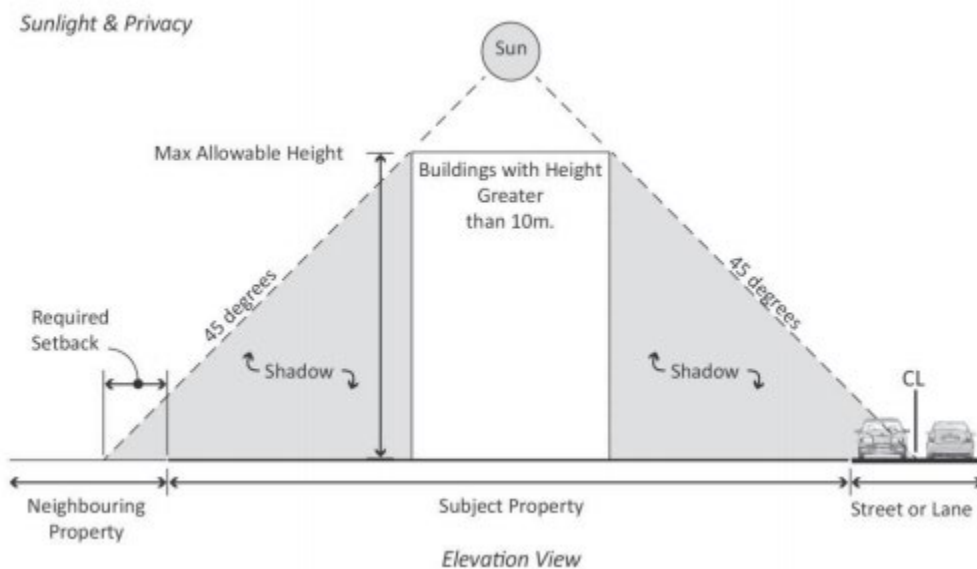
The subject property is currently made up of two land parcels, one being a corner lot, totaling 987 m<sup>2</sup> (10,625 sf). It is recommended that the applicant be required to consolidate the two lots into one legal parcel prior to the City granting a Development Variance.



#### Height:

The proposed development will be 11.8 m (38.7 ft), which is below the maximum building height requirement of 12.5 m (41 ft). The proposed building will be three-storeys tall, with a basement located in the localized depression on the west side of the property.

All buildings with a height greater than 10 m in A, R, GH, or P zones must comply with section 6.18 Sunlight Protection and Privacy of the Zoning Bylaw to ensure that no part of the building structure projects into the shadow plane (see image below). The applicant will submit a Shadow Study to demonstrate if the proposed development will project above the shadow plane and by how far. A neighboring property may be impacted by the proposed development. That property is also currently owned by the Port Alberni Shelter Society. A covenant will likely be needed to be registered on the Title to exempt 3978 8<sup>th</sup> Avenue from the requirements of section 6.18.



#### Parking and Access:

The development of the 21 units requires ten (10) parking spaces based on the Zoning requirements for 1 space per 3 units plus an additional number of spaces based on 15% of the total units. The site slopes approximately 1.83 m (6 ft) from east to west, which will permit one row with six (6) stalls of open-air parking. Four (4) parking spaces will be designated for staff and visitors. A variance has been requested to reduce the total number of parking stalls required from 10 spaces to 6 spaces.

The drive isle will be accessed from Maitland Street, while the main entrance of the building will be accessed from 8th Avenue.

#### Setbacks:

The applicant has requested a variance to the front and rear yard setbacks. The proposed development requires the front yard (frontage on Maitland Street) to be varied from 7.5 m (24.6 ft) to 4.8 m (15.7 ft) a variance of 2.7 m. The required rear yard setback is 9.0 m (29.5 ft). The existing rear yard does not currently conform to the zoning bylaw. The proposed rear yard setback is .5 m (1.64 ft), a variance of 8.5 m.

**Lot Coverage:**

The allowable maximum lot coverage in the P1 zone is 40%. The applicant has requested to vary the maximum requirement to allow for 45% lot coverage, a variance of 5%. The variances requested will allow the development to be constructed with a greater number of units, and an accessible elevator.

**CONCLUSION**

The applicant is proposing to redevelop the property at 3978 8th Avenue. The applicant has requested minor variances to the front and rear yard building setbacks, maximum lot coverage, and to the parking requirements. If granted, the variances will facilitate a greater use of the site, allowing for more units and an accessible elevator to be included in the development. The variance will increase the allowable building space, mainly impacting the street, the sidewalks, and the neighboring property. The variance will not significantly impact the surrounding area.

The proposed housing is needed in the community and is compatible with the existing neighbourhood. A variance permit will maintain the general intent and purpose of the Zoning Bylaw, and will also meet the requirements to issue a Building Permit. As such, the Planning Department supports the variance application for 3978 8th Avenue.

**RECOMMENDATIONS**

The Planning Department recommends:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the applicant be required to consolidated the subject properties into one legal parcel prior to approval of a Development Variance and that the recommended variances be applied to the resulting legal parcel.*
2. *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 5.31.2 P1 - Institutional Minimum Setbacks, Front Yard, from 7.5 m to 4.8 m, a variance of 2.7 m for the property located at 3978 8th Avenue and legally described as Lots 2 & 3, Block 178, District Lot 1, Alberni District, Plan VIP1603 (PID's: 007-123-434, 007-123-418).*
  - b) *Vary Section 5.31.2 P1 - Institutional Minimum Setbacks, Rear Yard, from 9.0 m to 0.5 m, a variance of 8.5 m for the property located at 3978 8th Avenue and legally described as Lots 2 & 3, Block 178, District Lot 1, Alberni District, Plan (PID's: 007-123-434, 007-123-418).*
  - c) *Vary Section 5.31.2 P1 - Institutional Maximum Lot Coverage, from 40% to 45%, a variance of 5% for the property located at 3978 8th Avenue and legally described as Lots 2 & 3, Block 178, District Lot 1, Alberni District, Plan VIP1603 (PID's: 007-123-434, 007-123-418).*

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- d) *Vary the number of parking spaces, required by Section 7.9 Required Parking for "Community care facility; Seniors housing", from 10 spaces to 6 spaces for the property located at 3978 8th Avenue and legally described as Lots 2 & 3, Block 178, District Lot 1, Alberni District, Plan VIP1603 (PID's: 007-123-434, 007-123-418).*
3. *That City Council direct staff to give notice of intent to consider the issuance of Development Variance Permit No. 96 for 3978 8<sup>th</sup> Avenue.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. McDougall', with a horizontal line underneath.

Katelyn McDougall, M.Urb  
Manager of Planning

**SUBJECT PROPERTY**

MAITLAND ST.

8TH AVE.

MORTON ST.

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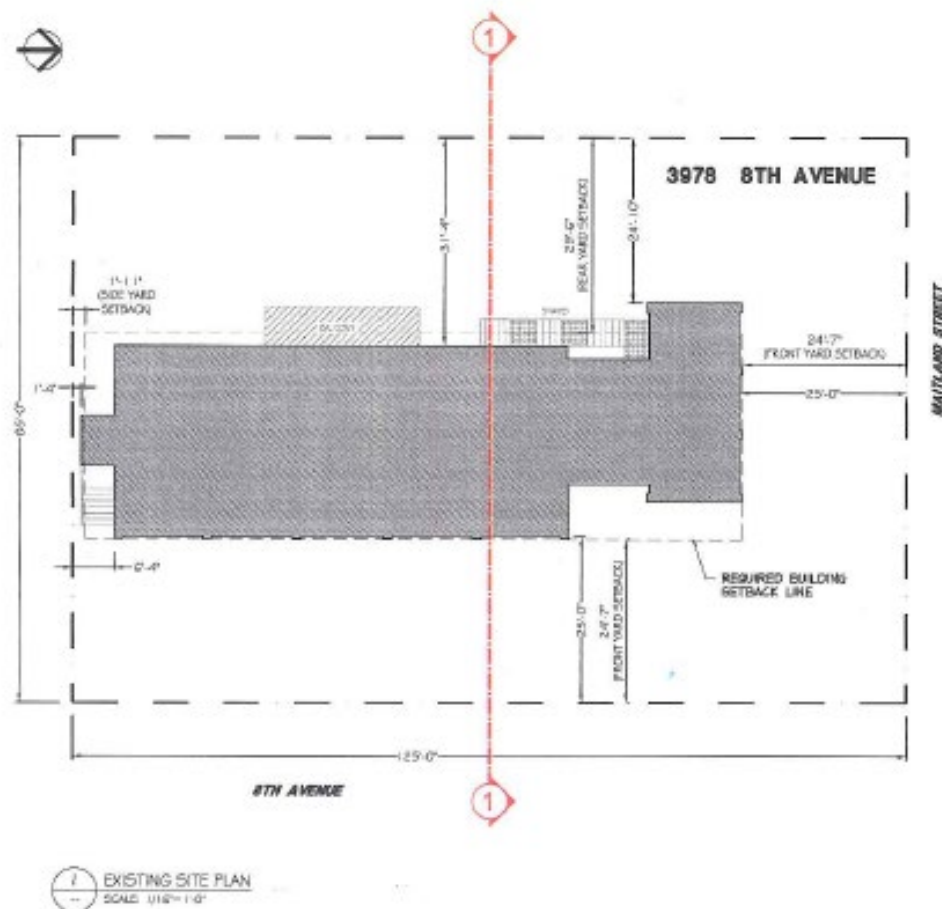
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EXISTING STRUCTURE:

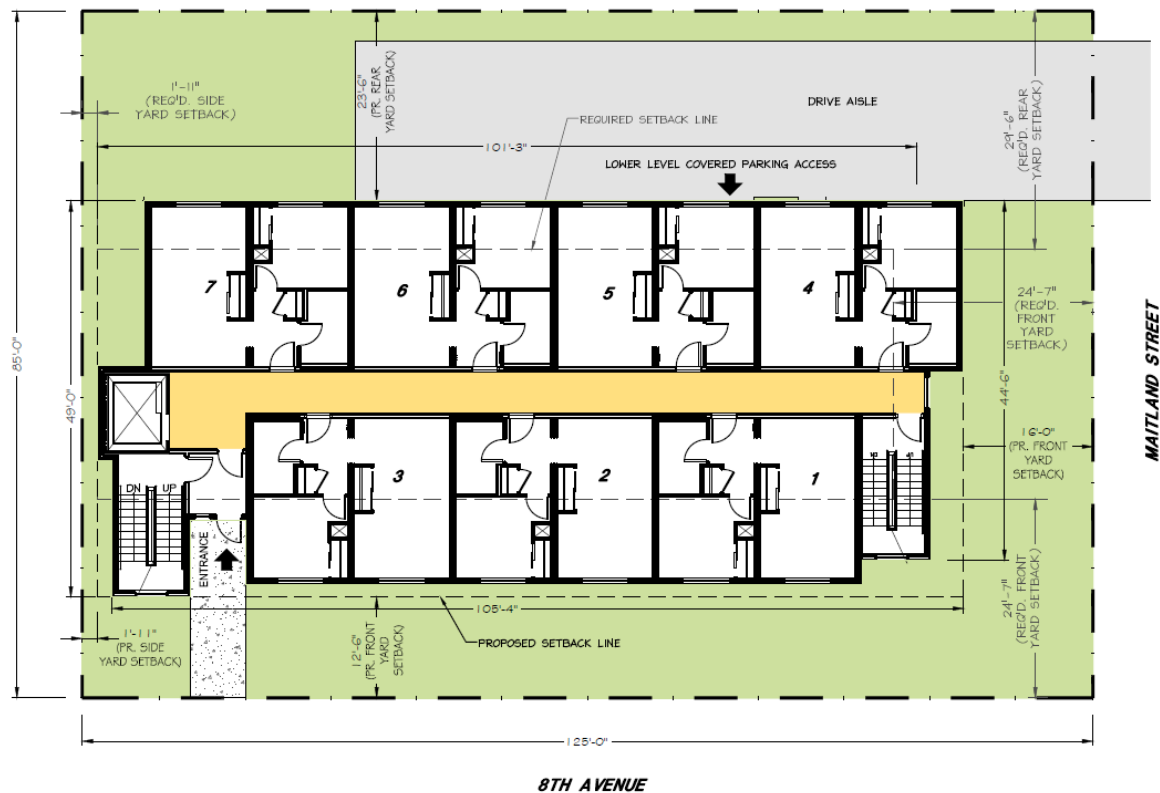


EXISTING SITE PLAN:





## CONCEPTUAL SITE PLAN:



## CONCEPTUAL BUILDING DESIGN:



**3978 8TH AVE, PORT ALBERNI, BC**  
JENSEN GROUP ARCHITECTS

CONCEPTUAL DESIGN: 8TH AVE ELEVATION

SCALE: 1:100 SHEET: A5



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

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TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: July 11, 2019

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**SUBJECT: DEVELOPMENT APPLICATION - Development Variance Permit**  
**4917 Margaret Street** - Lot 2, Block 1, District Lot 12, Alberni District, Plan  
VIP1010 (PID: 008-131-520)  
**Applicant:** Michael Redman as Agent for Robin Redman dba Redmark Ventures  
Ltd., INC.NO. BC0681816

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### **ISSUE**

At issue is the consideration of an application for a Development Variance Permit (DVP). The applicant is seeking relief from the regulations of the Zoning Bylaw as it relates to front yard building setbacks.

### **BACKGROUND**

The property at 4917 Margaret Street is zoned *R2 – One and Two Family Residential* and has a front yard setback requirement of 7.5 metres (24.6 ft). The property was previously occupied by a mobile home, and then sat vacant for a period of time. The property is currently in the process of being redeveloped with a single family home and detached garage.

Typically, housing pins are placed during the excavation by a B.C. Land Surveyor (B.C.L.S.) to ensure that new construction meets the required setbacks. The cost of this service is typically around \$500. While this is a standard practice, the contracted builder did the work himself and used the Iron Pins (IP) as found. The pin the builder used as the north west corner of the property was not the true property corner but an offset pin as denoted on the 2008 legal posting plan. As a result, the building has been constructed within the front yard setback. In order to place the home into compliance a Variance is requested.

### **DISCUSSION**

#### **The Property**

The property is designated 'Residential' in the OCP and zoned '*R2 - One and Two Family Residential*' in the Zoning Bylaw. The intent of the '*R2 – One and Two Family Residential*' zoning designation is to establish or maintain quiet, low density neighborhoods featuring

single family and two family dwellings. The development Variance requested is minor, and will have no significant impact on the use of the property or surrounding properties.

### Surrounding Area

The surrounding neighborhood is predominately designated residential to the north, east and south of the property, and is mostly zoned *R2 – One and Two Family Residential*. Further to the south of the property is Johnston Road, which is a highway and commercial node. To the west of the property is a large municipal park (Blair Park) that includes a children's spray park and the Kitsuksis Dyke walkway.

### Site Plan

The applicant is in the process of constructing a single family home and detached garage on the subject property.

On the original legal plan the property is shown to be 13.4 m (44 ft) wide along the Margaret Street frontage, with a depth of 42 m (138 ft) and a total area of the lot is 564 m<sup>2</sup> (6072 ft<sup>2</sup>). An updated posting plan (VIP85617) was completed in 2008 (see attached), providing more accurate measurements for the lot, with a total area of ±567 m<sup>2</sup>. The legal property line measurements are:

Front Lot Line = 13.528 m	North Lot Line = 41.965 m
Rear Lot Line = 13.509 m	South Lot Line = 41.956 m

As seen in the attached posting plan, the 0.5 m offset pin at the north west property corner is labelled. Due to the use of the pin's physical location without cross referencing the 2008 posting plan a 0.4 meter (1.3 ft) Variance is require as the building has already been constructed in the improper location.

The 'Minimum Front Yard Setback' required by the Zoning Bylaw is 7.5 metres (24.6 ft). If the Variance is granted to reduce the minimum front yard setback, the new front yard setback will be 7.1 m (23.3 ft). The reduced front yard setback for this property would still be greater than the minimum required front yard setback in the '*R3 – Small Lot Single Family Residential*' zone, which is 5 m (16.4 ft).

### CONCLUSION

The applicant has requested a Variance that would enable a slightly smaller front yard, but is primarily intended to correct a mistake made by the builder during the excavation process.

The builder's error could have been avoided using best practices and by checking the posting plan from 2008. While it is not preferred to grant variances after construction has begun, the requested variance to the front yard is minor. No significant impacts to the use of the property or surrounding properties are anticipated.

The Manager of Planning supports the issuing of a Development Variance Permit for 4917 Margaret Street.



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## **RECOMMENDATIONS**

The Planning Department recommends:

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:*

*Vary Section 5.12.2 R2 - One and Two Family Residential Minimum Setbacks, Front Yard, from 7.5 m to 7.1 m, a variance of 0.4 m (1.3 ft) for the property located at 4917 Margaret Street and legally described as Lot 2, Block 1, District Lot 12, Alberni District, Plan VIP1010 (PID: 008-131-520).*

2. *That City Council direct staff to give notice of intent to consider the issuance of Development Variance Permit No. 95 for 4917 Margaret Street.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Katelyn McDougall', with a stylized flourish at the end.

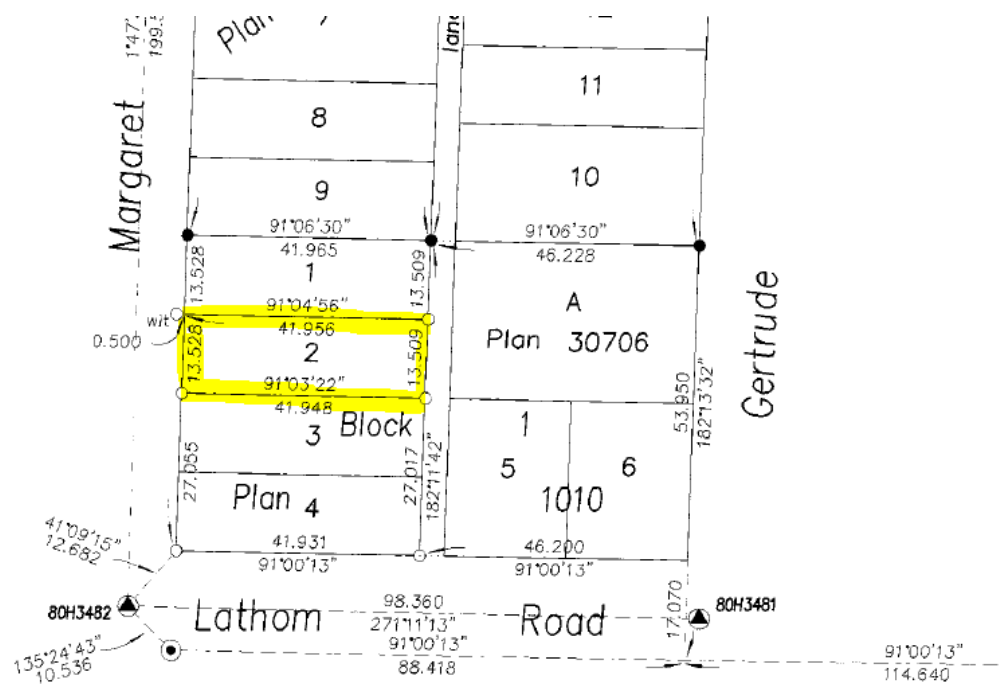
Katelyn McDougall, M.Urb  
Manager of Planning

SITE MAP:





SURVEY SITE PLAN (POSTING PLAN):



STREET VIEW PRIOR TO CONSTRUCTION:



BUILDING LOCATION:

