

To: Port Alberni Advisory Planning Commission

Stefanie Weber (CHAIR)

Sandy McRuer
Harley Wylie (vice-CHAIR, Tseshaht (ċ išaaʔatḥ) F.N)

Jack Roland

Dan Holder

Joe McQuaid

Councilor Serena Mayer, (Hupačasath F.N)

Larry Ransom, (SD70 Liaison)

Callan Noye

Councillor Dustin Dame (Council Liaison)

Wayne Mihalicz (Parks Liaison)
Derrin Fines (P.A.F.D. Liaison)
Sqt. Ryan Archer, (R.C.M.P. Liaison)

From:
S. Smith, Director of Development Services
Copy:
C. Washington (Alternate - School District #70)

Ken Watts (ECC, Alternate - Tseshaht (ċ išaaʔatḥ) F.N) Councillor D. Haggard (Alternate - Council Liaison)

Corporate Services: S. Darling, T. Feltrin, A. O'Connor

Development Services/Planning: B. McLoughlin, H. Stevenson, C. Foden

Date: June 12, 2024

Re: Advisory Planning Commission Meeting Thursday, June 20, 2024 at 12:00 pm

A meeting of the Advisory Planning Commission has been scheduled for **Thursday**, **June 20**, **2024 at 12:00 pm** in the Council Chambers at City Hall (4850 Argyle St.). Contact Haley Stevenson (T:250-720-2808 / email: Haley_Stevenson@portalberni.ca) or Brian McLoughlin (T: 250.720.2806 / email: Brian_McLoughlin@portalberni.ca) if you require more information.

APC AGENDA

- **1. Acknowledgements and Introductions** This APC meeting is being held within the un-ceded traditional territories of the Hupačasath and the Tseshaht/ċ išaa?ath First Nations.
- 2. Adoption of minutes of the January 18, 2024 meeting
- 3. DEVELOPMENT APPLICATION: Official Community Plan (OCP) and Zoning Bylaw
 15th Avenue at Montrose Street a portion of Lot A (DD F39405) of District Lot 113, Alberni
 District, Plan VIP1044 Except part in Plan VIP55450 PID: 008-079-820
 APPLICANT: Paul Turner dba 521803 BC Ltd. (Windward Homes).
- 4. DEVELOPMENT APPLICATION: Zoning Bylaw 4691 Gertrude St. - Lot 1, Block 7, District Lot 1, Alberni District, Plan 197 PID: 009-270-469 APPLICANT: Brent Wilson for Seebros Holdings Ltd., INC.NO. BC0812664.
- 5. Updates Manager of Planning
- 6. Other business
- 7. Adjournment The next regular APC meeting is scheduled for Thursday, July 18, 2024.



Summary Report / Minutes of the Advisory Planning Commission Meeting held on January 18, 2024 at 12:00 p.m. (Council Chambers, Port Alberni City Hall, 4850 Argyle Street)

Commission Members Present

Stefanie Weber (Chair)

Harley Wylie (Alt.-Tseshaht (c išaa?ath) F.N) (Vice-Chair)

Christine Washington, (SD70 Liaison)

Callan Nove Jack Roland

Sandy McRuer

Staff

Scott Smith, Director of Dev. Services/Deputy CAO

Brian McLoughlin, Manager of Planning

Haley Stevenson, Planner I Cara Foden, Planning Technician

Guests

Applicant/s: Brad and Caralee Dame

Alternates and Staff not in attendance Regrets Serena Mayer, (Hupačasath F.N) Ken Watts (ECC, Tseshaht (c išaa?ath) F.N)

Joe McQuaid Larry Ransom (Alt. - S.D.70)

Councilor Dustin Dame (Council Liaison) S./Sgt. Mike Thompson, (R.C.M.P. Liaison)

Councilor Deb Haggard (Alt. Council Liaison)

Derrin Fines (P.A.F.D. Liaison)



1. Acknowledgements and Introductions

The Vice-Chair acknowledged that this meeting is being held within the un-ceded, traditional territories of the Hupačasath Nation and the Tseshaht (c išaa?ath) First Nation.

2. Adoption of previous meeting minutes:

Summary Report / Minutes from the APC Meetings held on December 21, 2023

(Washington / Noye) CARRIED

3. Election of Chair and Vice-Chair for 2024.

The APC Chair and Vice-Chair were elected as follows:

- Stefanie Weber
- Vice -Chair Harley Wylie

4. DEVELOPMENT APPLICATION: Zoning Bylaw amendment

5350 Margaret St. - Lots 1-3, District Lot 11, Alberni District, Plan VIP1047

Lot 1. District Lot 11. Alberni District. Plan VIP1047 PID: 007-922-957

Lot 2, District Lot 11, Alberni District, Plan VIP1047 PID: 007-922-981

Lot 3. District Lot 11. Alberni District, Plan VIP1047 PID: 007-922-990

APPLICANT: B. and C. Dame

- The Planner I presented a summary of the application. A full report dated January 18, 2024 was included in the Agenda package for this meeting.
- Attendees discussed the proposed Zoning bylaw amendment as follows:
 - The applicants' intent for the existing building is to re-purpose the former church to be used as a Daycare Centre for children.

- Current zoning on four lots owned by the applicants is P1 Institutional. Zoning on the portion of the site currently occupied by a former church building will remain P1 Institutional. The remainder of the site will be rezoned to 'R3 Small Lot Single Detached Residential' with the intent to subdivide. Civic addressing will be assigned at the time of subdivision.
- New provincial legislation with regard to Zoning Bylaw update Staff will work with the applicants to synchronize the timing for adoption of the amendment as necessary.

Motions:

1. That the Advisory Planning Commission recommends to City Council that Council support the application.

(Washington / McRuer) CARRIED

5. Updates from the Director of Development Services

- OCP
 - City is moving forward with public engagement on the policy development phase.
 - Online engagement will take place Feb 8 19
 - Open House sessions are scheduled for February 14th and February 15th.
 - Consultants have been engaged to do data analysis on the community and the information will inform Planning staff in the creation of long-term development strategies for the management of growth, climate goals, infrastructure and recreational needs in the community ('Complete Communities').
 - The former Somass lands now owned by the City will be considered during the OCP process but will not be focused on in detail.
- City revenue sources The City only has the authority to generate revenue as authorized by the Province. New legislation has widened the scope of local governments with respect to DCC and Amenity charges.
- Discussion around the inconsistency of grant funding as a revenue item in the City budget. It
 was noted that City budget must account for long term capital plans.

6. Other Business:

•	Carlot Education
7.	Adjournment – The meeting adjourned at 1:00 pm. The February 15, 2024 meeting will be cancelled and the next regular meeting is scheduled for 12:00 pm on Thursday, March 21, 2024 .
	(Chair)
	APC-SummaryMinutes-Jan18-2024



CITY OF PORT ALBERNI

DEVELOPMENT APPLICATION REFERRAL PRELIMINARY REVIEW REPORT

TO: Advisory Planning Commission

FROM: Haley Stevenson, Planner I

DATE: June 11, 2023

SUBJECT: DEVELOPMENT APPLICATION – Proposed OCP and Zoning Bylaw Amendments

15th Avenue and Montrose Street, Port Alberni

Lot A (DD F39405) OF DISTRICT LOT 113, ALBERNI DISTRICT, PLAN 1044, EXCEPT PART IN

PLAN VIP55450 (PID: 008-079-820)

Applicant: P. Turner dba Winward Homes

PURPOSE

To consider an application for amendments to the Official Community Plan (OCP) and Zoning Bylaw for a portion of the property at the corner of 15th Avenue and Montrose Street. Amendments would enable a property sale and subsequent subdivision application to create fifteen (15) new parcels for residential development.

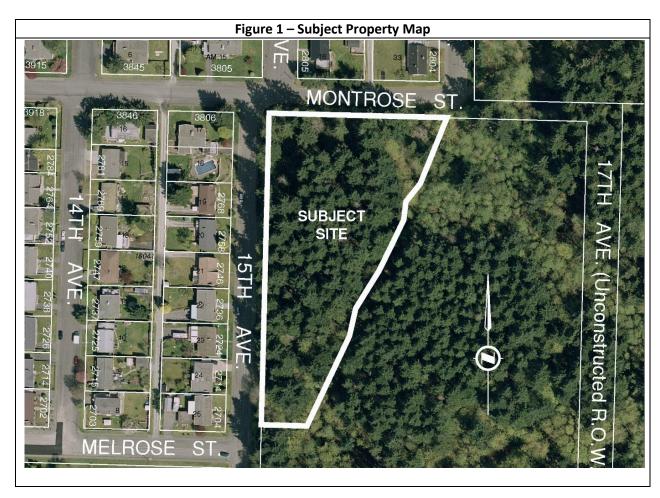
SUBJECT PROPERTY AND SITE CONTEXT

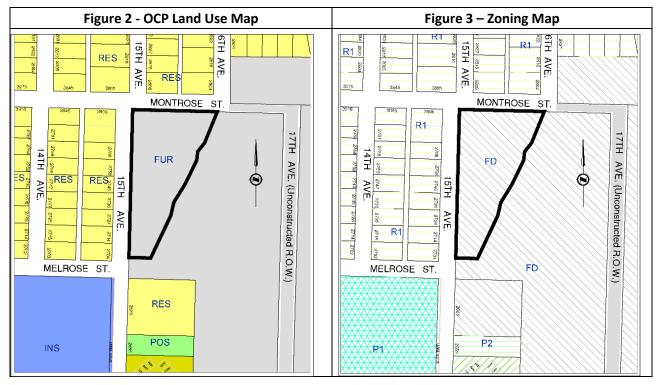
The subject property is an 11,330 m² portion of undeveloped City-owned land located at the corner of 15th Avenue and Montrose Street. The property is designated *Future Residential (FUR)* in the OCP and *Future Development (FD)* in the Zoning Bylaw. The surrounding neighborhood is a mix of low-density residential, low-density multi-residential (RM1), institutional (P1), and parks and recreation (P2) zoning.

In 2021, City Council directed staff to issue a public Request for Proposals (RFP) for the purchase and development of the subject property. The applicant's proposal was selected and they were granted purchase of the property with a condition that it must first be rezoned. The City currently owns the property, but there is an agreement of purchase and sale.

Location	Corner of 15 th Avenue and Montrose Street.
Current Land Use	Future Residential (FUR)
Proposed Land Use	Residential (RES)
Current Zoning	Future Development (FD)
Proposed Zoning	Primary Residential (R)
Total Area	11330 m² (2.8 acres)

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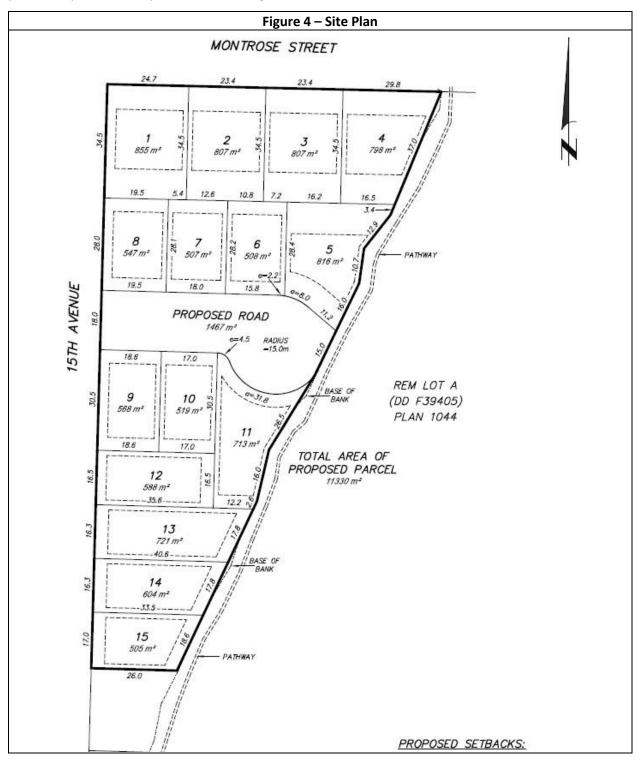




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DEVELOPMENT APPLICATION & POLICY

The applicant is proposing to change the subject property's land use designation from 'Future Residential (FUR)' to 'Residential (RES)' in the OCP and to change the zoning from 'FD Future Development' to 'R Primary Residential'. If proposed amendments are adopted, the land would be sold to the applicant. This would enable a subdivision application to create 15 new parcels for residential development. A preliminary subdivision plan is shown in Figure 4.



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Official Community Plan No. 4602

The proposed *Residential (RES)* land use aligns with surrounding low-density residential neighbourhood and the definition of *Future Residential (FUR)* in the OCP. OCP policy requires that a neighbourhood plan be submitted as a condition of development of *FUR* land.

OCP Land Use Designation	Description
Future Residential (FUR)	Identifies areas that will accommodate future residential growth at a low density for up to 20 years. Lands with this designation will require as a condition of development, the preparation of a neighbourhood plan that identifies how development will occur in a planned and sustainable manner. This designation may include some non-residential land uses.
Residential (RES)	Permits one and two family residential.

Environmental Assessment

The OCP includes policy on preserving and protecting watercourses, riparian areas, areas with significant wildlife values, and fisheries sensitive zones (see attached Policy Summary). A man-made drainage ditch runs along the subject property's eastern boundary. A preliminary assessment provided by a registered environmental professional indicates the following:

- The ditch does not provide fish habitat, but does provide seasonal flows to downstream fish bearing waters (Dry Creek).
- The ditch may provide minimal habitat value as a seasonal water source for wildlife.
- The primary environmental consideration for future development of the site is sediment control.
- A berm on the ditch's western side would help prevent uphill sediments from entering the stream.

Zoning Bylaw No. 5105, 2024

The application has been reviewed against the new Zoning Bylaw (*Zoning Bylaw No. 5105, 2024*). Proposed 'R' zoning aligns with the surrounding low-density neighborhood and the proposed subdivision plan meets the requirements of the 'R' zone. See attached zone description.

Infrastructure & Servicing

The applicant has not yet provided infrastructure information for the City's Infrastructure Services Department to review. This will be required at time of subdivision. The applicant would be responsible for the cost of designing and installing all necessary upgrades.

REFERRALS

The application was referred to external agencies and internal departments in October of 2022. In response to comments from the Tseshaht First Nation, the City requested that an archaeological overview assessment (AOA) be submitted for the site. The submitted AOA assessed the study area as having low archaeological potential and recommended no further work.

The application will be referred back to external agencies and internal departments prior to it being considered by Council.

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Staff Notes:

• The proposed subdivision plan is subject to change. Any changes must meet the requirements of the 'R – Primary Residential' zone.

- Staff recommend that a "neighbourhood plan" not be required given the limited scale of development, and because proposed *RES* use aligns with the intent of future development to be low-density.
- Under new 'R' zoning, the developer would be able to build up to four (4) dwelling units on each lot. Staff consider this to be "low density" under the updated Zoning Bylaw as it is now the base density for most residential lots in Port Alberni.
- At subdivision, the City's Approving Officer will require a report from a Registered Biologist to
 determine appropriate setbacks from the drainage ditch/natural area. This will be based on the
 final subdivision layout.
- Section 475 of the Local Government Act (LGA) requires that an additional opportunity for input be provided to those whose interests may be affected prior to the application being considered by Council. At this time staff recommend a notice be mailed to all owners and occupants of property within 100 metres of the site. The notice will provide information on the proposed development along with various ways to submit feedback and contact staff.
- The OCP amendment requires that a Public Hearing be held.

OPTIONS

- 1. Recommend to Council the application be supported.
- 2. Recommend to Council the application be supported with conditions (specify).
- 3. Recommend to Council the application not be supported

ATTACHMENTS

- 1. 'R' Primary Residential Zone Description
- 2. OCP Policy Summary

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Attachment 1: 'R' Zone Description

R - PRIMARY RESIDENTIAL

5.10 The purpose of this zone is to provide for gentle density and small-scale multi-unit residential development.

5.10.1 Permitted Uses

Principal Uses
Single detached dwelling
Semi-detached dwelling
Multi-residential dwellings
Accessory Dwelling Unit
Secondary Suite
Bed and Breakfast
Supportive Housing

5.10.2 Site Development Regulations

Minimum Lot Area	280 m ²	(3,014 ft ²)
Minimum Frontage	10 m	(32.8 ft)
Maximum Number of Dwelling Units per Lot	4	
OR on lots less than 280 m² (3,014 ft²)	3	
Maximum Coverage	60%	
Minimum Setbacks:		
Front yard	3 m	(9.8 ft)
Rear yard	5 m	(16.4 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	11 m	(36.1 ft)
Maximum Impermeable Surface Area	70%	

5.10.3 Conditions of Use

- Notwithstanding the provisions of 5.10.2:
 - On a corner lot, the side yard by the flanking street must be not less than 3 m (9.8 ft) wide.
 - (ii) For principal buildings 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.
 - (iii) Internal roadways that access more than two dwelling units are excluded from the calculation of maximum impermeable surface
 - (iv) The maximum impermeable surface area when a lot contains three or more dwelling units is 75%.
- Groups of single and semi-detached dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- Any combination of dwelling units is permitted on a lot so long as a principal building is present on the lot.
- d) Notwithstanding Sections 5.10.1 and 5.10.2, any lot that is larger than 4,050m² (1 ac) or not connected to municipal water and sanitary sewer services is limited to one single-detached dwelling plus secondary suite.
- For supportive housing, the maximum number of persons in care shall not exceed four (4).

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Attachment 2: OCP Policy Summary

The following table contains *Official Community Plan Bylaw* policy statements on development of FUR land, environmental protection, and other subjects relevant to the property at 15th Avenue and Montrose Street.

OCP Section	Policy Text
Council Policy 4.4.2	In those areas designated in the Official Community Plan as "Future Residential", a detailed neighbourhood plan is required in order to address the specifics of the proposed land use. The neighbourhood plan must be approved prior to an OCP designation change by Council.
Council Policy 4.4.3	Future Residential may accommodate a range of residential densities and can include provision for neighbourhood commercial uses, parks, schools, and other land uses that are intended to provide support services for the neighbourhood.
Council Policy 1.1.5	Ravines, watercourses and riparian areas will be preserved in their natural state, and wherever possible, will be linked to other park spaces or natural areas to create a comprehensive network of green space. Trail opportunities within these areas may also be considered when not detrimental to the environment.
Council Policy 1.1.6	Where possible, the City will consider conserving or protecting areas having significant wildlife values, and/ or significant wildlife corridors in an effort to maintain habitat and access.
Council Policy 1.2.1	The City will attempt to protect Fisheries Sensitive Zones in conjunction with the Federal and Provincial agencies by protecting natural vegetation within riparian areas, requiring an appropriate development setback from the "top of bank".
Council Policy 1.2.2	The City may require development in or around watercourses (including watercourse crossings) to complete an environmental report as a part of any development approval process.
Council Policy 1.2.3	The City will work to manage the quality and quantity of stormwater runoff in order to help protect and/or enhance aquatic habitats.
Council Policy 1.2.4	Riparian setback areas will be preserved in a natural state except for public trails, benches, and interpretive signage where not detrimental to the habitat.



CITY OF PORT ALBERNI

DEVELOPMENT APPLICATION REFERRAL PRELIMINARY REVIEW REPORT

TO: Advisory Planning Commission

FROM: Haley Stevenson, Planner I

DATE: June 13, 2023

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment

4691 Gertrude Street, Port Alberni

Lot 1, Block 7, District Lot 1, Alberni District, Plan 197 (PID: 009-270-469)

Applicant(s): B. Wilson dba Seebros Holdings

PURPOSE

To consider an application to rezone the property at 4691 Gertrude Street from 'C5 Transitional Office' to 'C7 Core Business'. The proposed zoning amendment would enable expansion of the Beaver Creek Home Centre's commercial operations to accommodate a new storage building.

SUBJECT PROPERTY AND SITE CONTEXT

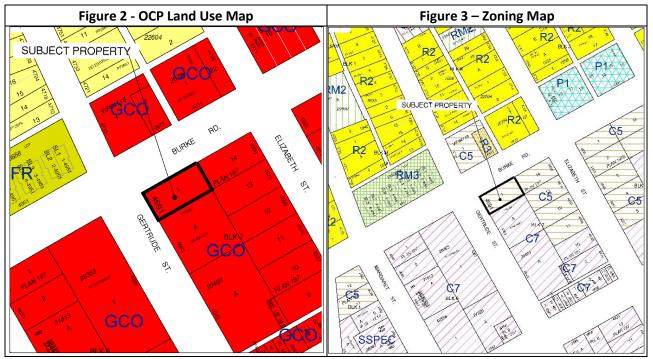
The subject property is located at the corner of Gertrude Street and Burke Road. A single-detached dwelling was recently removed from the site and the property is now vacant. The Beaver Creek Home Centre operates a building and lumber supply business on adjacent properties at 4663, 4643, and 4660 Gertrude Street. Operations include a commercial storefront, and indoor and outdoor storage.

The subject property is designated 'General Commercial' in the Official Community Plan (OCP) and is classified 'C5 Transitional Commercial' in the Zoning Bylaw. Surrounding properties are a mix of 'C5 Transitional Commercial', 'C7 Core Business', low-density residential, high-density multi-residential, and institutional zoning. The subject property is located in the transition area between the neighbourhood's commercial and residential properties. See Figure 3.

Location	East side of Gertrude Street at intersection with Burke Road.
Current Land Use	General Commercial
Current Zoning	C5 Transitional Office
Proposed Zoning	C7 Core Business
Total Area	810 m ² (0.2 acres)

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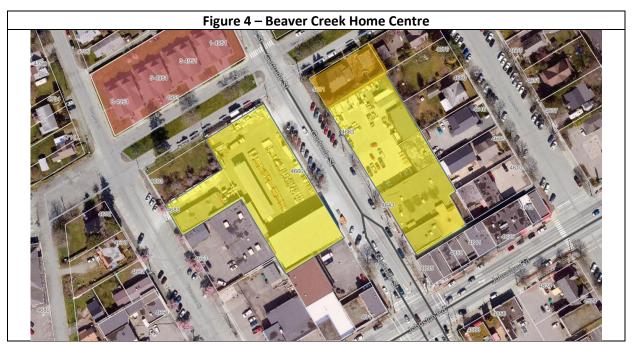


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Additional Context

In 1998, City Council adopted a text amendment to the Zoning Bylaw which added 'Building and Lumber Sales' as a permitted use in the CMX1 zone (Northport mixed use zone) to accommodate the operation of the Beaver Creek Home Centre. In 2014, the CMX1 zone was updated to the 'C7 Core Business Zone' which allowed 'Lumber and Building Materials Retailers and Wholesalers' as a principal use.

The Beaver Creek Home Centre has been a successful business in Port Alberni, and in recent years they have purchased adjacent residential and small-scale commercial properties to expand their operations. These lands have been largely converted to storage and warehousing areas. Currently the operation includes approximately 8380m² (2 acres) of land in the C7 zone in the Northport commercial area (Figure 4). Upon successful rezoning of the subject property (shown in orange), the operation would expand to 9190 m2 (2.27 acres).



DEVELOPMENT APPLICATION & POLICY

The applicant is proposing to change the property's zoning from 'C5 Transitional Office' to 'C7 Core Business'. Proposed amendments would enable expansion of the Beaver Creek Home Centre's commercial operations to accommodate a new storage building.

Official Community Plan No. 4602

The application does not require an OCP Bylaw amendment because proposed C7 zoning aligns with the property's GCO General Commercial land use designation:

OCP Section	OCP Text
Section 2.0 Land Use	General Commercial (GCO): Identifies areas that permit a wide range of
Designations	uses such as retail, office, entertainment, food and beverage, and mixed commercial/residential. The purpose is to maximize the economic and social vitality of these areas. It is expected that associated development will provide an enhanced pedestrian experience to promote non-vehicle shopping trips.

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Zoning Bylaw No. 5105

Proposed C7 zoning aligns with commercial properties to the south (Johnston Road commercial corridor). However, proposed zoning would reduce the buffer area between the neighbourhood's commercial and residential properties typically provided by C5 zoning:

Zone	Zone Description
C5 - Transitional Office	The purpose of this zone is to establish and maintain transitional areas between residential, commercial and industrial zones. Permitted uses and buildings are intended to have little impact on neighbouring residential properties.

New OCP and Future Zoning Bylaw

While 'Lumber and Building Materials Retailers and Wholesalers' is listed as a permitted use in the C7 zone, it is generally incompatible with the intent of the zone and neighbourhood locations with this zoning. The C7 zone is intended for downtown neighbourhoods with 'main street' businesses with apartments above up to five or six storeys. Table 1 contains a comparison of zones.

Wholesale retail of building materials is vehicle-oriented and requires large areas of land for outdoor storage and warehousing. It also requires site security, including high fences and flood lights. These uses are more appropriate for land zoned *C3 Service Commercial* or *M1 Light Industry* where there is less potential to impact residential living, and businesses/services that depend on downtown locations.

For the new Official Community Plan, Council has supported a growth scenario that would direct more residential density towards commercial nodes, including Northport. Following adoption of a new OCP, staff anticipate updating the Zoning Bylaw to align with new OCP policy. Staff will review the existing C7 zone and the long-term sustainability of allowing 'Lumber and Building Materials Retailers and Wholesalers' as a use in core neighbourhoods.

Table 1: Zone Comparison		
Zone (Bylaw No. 5105) Description		
C7 – Core Business	'The purpose of this zone is to establish and maintain vibrant mixed-use commercial core areas, with attention to providing goods and services to residents, the travelling public and tourists.'	
C3 – Service Commercial	'The purpose of this zone is to establish and maintain areas for retail and service operations that are vehicle-oriented or require large storage areas .'	
M1 – Light Industry	'The purpose of this zone is to establish and maintain areas containing light industrial uses, such as wholesale , warehouse and light manufacturing operations.'	

Infrastructure & Servicing

The applicant has not yet provided infrastructure information for the City's Infrastructure Services Department to review. This will be required during the development permit application process. The applicant would be responsible for the design and cost of all necessary upgrades.

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REFERRALS

The application has been referred to external agencies and internal departments. Responses will be collected prior to the application being considered by Council.

Staff Notes:

- Staff do not anticipate the rezoning of this property will impact the neighbouring residential properties given the width of Burke Road (30 m).
- A Development Permit will be required to address site lighting, landscaping/screening, and the appearance of the building.
- On-site parking is not required in the C7 zone; however preliminary plans propose adding 6 spaces.
- The subject property is located within the Tsunami Inundation Zone, but is not located within flood-susceptible lands (most recent floodplain mapping).
- Council may choose to waive the public hearing because proposed zoning aligns with the property's OCP land use designation.
- Proposed amendments require approval from the Ministry of Transportation and Infrastructure (MOTI).

OPTIONS

- 1. Recommend to Council the application be supported.
- 2. Recommend to Council the application be supported with conditions (specify).
- 3. Recommend to Council the application not be supported

ATTACHMENTS

- 1. Beaver Creek Home Centre Air Photos (2006 / 2023)
- 2. OCP Policy Summary

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Attachment 1: Beaver Creek Home Centre Location in Air Photos (approximate)

<u>2006</u>



<u>2023</u>



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Attachment 2: OCP Policy Summary

The following table contains *Official Community Plan Bylaw* policy statements relevant to the property at 4691 Gertrude Street.

OCP Section	Policy Text
Council Policy 7.1.5	The downtown cores of Southport and Northport are intended as the primary commercial cores of the City. As such they should benefit from the widest range of permitted uses within the City including high density residential so as to bring vitality, aesthetic quality and liveability to these nodal locations.
Council Policy 5.1.1	Lands designated as General Commercial (GCO) on Schedule "A" (Land Use Map) are to be used for a broad range of pedestrian-scale uses including retail, office, financial, institutional, service, entertainment, food and beverage, and accommodation. Residential is permitted where it is located above ground floor commercial, unless stated otherwise.
Council Policy 5.1.3	The City will encourage the concentration of commercial development in established commercial nodes. It should complement the character of adjacent land uses and achieve an appropriate human scale in order to create compact and vibrant shopping nodes. Where current residential parcels in GCO designated areas along Johnston Road are proposed for commercial zoning, Council will consider such zoning with attention to overall comprehensive development. Council will discourage the potential to leave one residential parcel 'locked in' between commercially zoned properties. As a rule, no commercial zoning will be considered where 2 or less contiguous parcels are left as residential, unless it is clearly demonstrated that such parcels can be readily converted to a suitable commercial development.
Council Policy 5.1.4	Large format retail is permitted within this designation however, it must respond to the principles of compact, vibrant and pedestrian-friendly urban form. This is to be achieved by respecting existing block patterns, preserving the rhythm of small-scale, pedestrian oriented commercial retail units along the street frontage, and containing the majority of off-street parking within the building envelope.
Council Policy 5.1.5	For all other forms of commercial where off-street parking is required it should be provided at the rear of the building in order to avoid disruption of the street wall by parking lots or driveways.
Council Policy 5.1.7	Buildings should be oriented to the street and located at the property line or be setback minimally in order to accommodate a specific programming requirement such as outdoor seating.