



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: June 20, 2019

Re: Advisory Planning Commission Meeting
Thursday, June 27, 2019 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, June 27, 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 یشaaʔath) First Nations
2. **Minutes** of the May 23, 2019 meeting of the Advisory Planning Commission.
3. **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)

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.

4. **REPORT – Cannabis Cultivation and Processing Project:** – Manager of Planning
5. **TBD - REPORT – Pending Council direction - A. Brevick – 5119 Athol Street (Zoning amendments)**
6. **Update** – Manager of Planning
 - Brownfield Site presentation
 - Status of current projects
7. **Other business.**
8. **Adjournment.** The next regular meeting is scheduled for July 18, 2019.



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on May 23, 2019
in the Committee Room at City Hall, at 12:00 p.m.)**

Advisory Planning Commission Present

Ken McRae (Chair)
John Douglas (Vice-Chair)
Sgt. Clive Seabrook (R.C.M.P.)
Sandy McRuer
Jeannette Nichols
Amy Anaka
Councillor Deb Haggard, Council Liaison
Rick Newberry, P.A.F.D. Liaison
Rob Gaudreault, Parks Liaison
Chris Washington, S.D.70 Liaison

Staff

Katelyn McDougall, Manager of Planning
Alicia Puusepp, Manager of Communications

Guests

Mark and Melissa Trowbridge – Applicant
Cheryl MacLean – Member of the Public

Regrets

Larry Ransom (Alternate S.D.70)
Jim Tatoosh, Hupačasath F. N.
Cynthia Dick, Tseshaht (č išaaʔath) F. N.
S. Sgt. Terry Smith, R.C.M.P. Liaison
Don Ferster

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 April 18, 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.
- Roundtable of introductions. Three guests were in attendance to observe the meeting.
- The minutes of the April 18, 2019 meeting of the Advisory Planning Commission were adopted.
(McRuer / Douglas) CARRIED

2. DEVELOPMENT APPLICATION - Development Variance Permit

3510 12th Avenue

Lot 3, District Lot 1, Alberni District, Plan VIP6084 (PID: 001-314-009)

Applicant: Mark Trowbridge

- The Manager of Planning summarized her report to the APC dated May 16, 2019.
- The APC discussed the application as follows:
 - It was noted that the new *R3 – Small Lot Single Family Residential* zone has a minimum front yard setback of 5 m (16.4 ft) and there are many properties zoned R3 in the surrounding area. Therefore the application is consistent with what is already permitted in other areas of the community.
 - APC members expressed their satisfaction with the application, noting that it is a positive addition to the property and the neighborhood.

- The Manager of Planning noted that this applicant is positive because of its height and relative placement to the sidewalk. Sometimes the department receives inquiries about front yard decks and porches on the second story of a single family home, and those are not typically something the department would support for various reasons including the impact to the neighborhood.
- The applicant confirmed that their house a prewar home.

MOTIONS:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw 4832 as follows:*

Vary Section 5.12.2 R2 - One and Two Family Residential Minimum Setbacks, Front Yard, from 7.5 m to 5.4 m, a variance of 2.1 m (6.9 ft) for the property located at 3510 12th Avenue and legally described as Lot 3, District Lot 1, Alberni District, Plan VIP6084 (PID: 001-314-009.

2. *That City Council direct staff to give notice of intent to consider the issuance of Development Variance Permit No. 93 for 3510 12th Avenue.*

(Washington / McRuer) CARRIED

3. Review of Zoning Bylaw – Fence and Hedge Regulations

- The Manager of Planning summarized her report to the APC dated May 13, 2019.
- The APC discussed the application as follows:
 - It was asked how the City Planning Department could go about rezoning corridors to permit less sensitive uses, and encourage commercial, institutional, and higher density uses, to which the Manager of Planning provided three options:
 - Through the OCP update, which is currently scheduled for next year
 - If directed by Mayor and Council to upzone/rezone corridors as a separate initiative
 - Or as a consideration on a case-by-case basis as applications are processed
 - Questions were raised about what qualified as a side yard vs a front yard on a corner lot, and it was noted that the front yard is typically the side of the property that is less wide to provide a smaller frontage
 - Some discussion was had about how the Zoning Bylaw regulates fence height in relation to property grade, specifically when the property requires a retaining wall
 - Members of the APC thought that hedges are similar to fences and walls because they have visibility implications, and as such they should be regulated in the same fashion
 - It was noted that some properties will be grandfathered (legally non-conforming) if changes are made
 - Some discussion was had about how a hedge is different from a tree, and it was noted that the definition of hedge was recently reviewed by staff/APC/Council and changes were made to provide clarification about what a tree was and what a hedge was
 - Hedge height is something that fire and police note as being important with regards to visibility, security, and safety

- Most APC members acknowledge that our bylaws are relatively consistent with other municipalities. As the Manager of Planning included in her report, it was highlighted that this matter has come forward because bylaw enforcement for these matters have not yet been prioritized. Council has prioritized enforcement around other matters first, but if city beautification is deemed a priority of Council then these matters will likely receive more attention from bylaw enforcement. It was suggested that any changes to the Zoning Bylaw should be straightforward and not complex if the City expects compliance.
- Since sometimes a property sits below natural grade the height of a fence/wall/hedge permitted would not be effective for privacy screening in these instances. A friendly amendment to the motion was moved to include the following text at the end of section 6.7.4 *“as measured from average natural grade”*.
- One member mentions that in Port Alberni many property owners have had free reign to do what they like, and the City hasn't been able to keep up. Bylaw enforcement was emphasized as an important tool the City should use for implementing the Zoning Bylaw regulations.
- It was suggested that members of the public may not be aware of the Zoning Bylaw requirements and public education will be important for getting people to comply. The City should look for opportunities to educate the public on City bylaws and enforcement (i.e. using City Connect, utility bills, guidelines, infographics, videos, etc.).

MOTIONS:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with amending section 6.7.1, 6.7.2 and 6.7.4 of the Zoning Bylaw by removing the current text and adding the following:*

6.7.1 *The height of a fence, hedge or wall shall be determined by measurement from ground level at the average grade level within 1 m (3.28 ft) of both sides of such fence, **hedge**, or wall.*

6.7.2 *Notwithstanding 6.7.1, the height of a fence, hedge or wall erected along a retaining wall shall be determined by measurement from the ground level at the average grade within 1 m (3.28 ft) of the side which is supported by the retaining wall. **Where a fence is erected or placed above a retaining wall or within 1 m of a retaining wall, the maximum permissible height of a fence shall be reduced by half the height of the retaining wall.***

6.7.4 *Fences, **hedges**, or walls not greater than 1.8 m (6 ft) in height are permitted from the rear of the required front yard setback to the rear of the property, **as determined by measurement from ground level at the average grade level within 1 m (3.28 ft) of both sides of such fence, hedge, or wall***

(Douglas / Washington) CARRIED

4. **Update -** Manager of Planning have a status update on current projects.
 - Public Hearing held May 13th for 2940 Bellshill Road and 3512 Gagne Rd (a PLA is required before both rezoning applications can proceed)
 - Upcoming Public hearing scheduled for June 24th for 5189 Compton Rd
 - Development Permits for 4721 Johnston Rd. and for 4000 Burde St. (Portview Apartments) have been approved by Council
 - Staff have begun working on cannabis cultivation planning process (project timeline TBD)

- RFP for Harbourview Lands has been reviewed by Council, some changes will be made before it is made public
- Several rezoning and variance applications have been submitted in the past month
- Upcoming for June APC meeting:
 - 4202/4238 8th Ave– Zoning Amendment application
 - 4730 Cherry Creek Rd – Development Variance application
 - Update on the Cannabis Cultivation planning process and timeline

5. **Other business** – No other business

6. **Adjournment** – The meeting adjourned at 1:05 p.m. The next regular meeting is scheduled for Thursday, June 27, 2019.

(Nichols / Washington) CARRIED



Davina Hartwell - City Clerk

Ken McRae – Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: June 20, 2019

SUBJECT: DEVELOPMENT APPLICATION

Proposed Zoning Bylaw Amendments

4202 and 4238 8th Avenue Lot 10 and 11, District Lot 1, Alberni District, Plan VIP18042 (Strata Lots 1-18, VIS3015 and Strata Lots 1-20, VIS3017)

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

Issue

To consider an application for amendments to the Zoning Bylaw text and Schedule A – Zoning Map for the properties located at 4202 and 4238 8th Avenue.

Background

The applicant is proposing to rezone the properties from RM1 Low Density Multiple Family Residential zone to RM3 High Density Multiple Family Residential zone with an additional Site Specific text amendment to the Zoning Bylaw that would facilitate an increase in the number of storey's permitted to five (5) storeys and increase the maximum building height to 18 metres.

The proposed amendments would allow for re-development of the two properties into multi-family condominiums. On the two properties there are currently seven (7) existing 2 storey buildings with a total of 38 strata units. The existing development known as "Woodland Village" was constructed 1977 and there are increasing maintenance concerns with the building and site works. The proposed redevelopment would include four (4) new 5 storey buildings with underground and surface parking. Between the four new buildings a total of 150 units is proposed.

Official Community Plan and Zoning Bylaw

- a) The properties, *Lot 10 and 11, District Lot 1, Alberni District, Plan VIP18042* located at **4232 and 4202 8th Avenue** are currently designated '**Multi-Family Residential**' on the Official Community Plan Schedule A – Land Use Map. No amendment is required.
- b) The properties, *Lot 10 and 11, District Lot 1, Alberni District, Plan VIP18042* located at **4232 and 4202 8th Avenue** are currently included in '**Development Permit Area No. 1 Multi-Family Residential**' on the Official Community Plan Schedule B – Development Permit Area Map. No amendment is required.

- c) The properties, *Lot 10 and 11, District Lot 1, Alberni District, Plan VIP18042* located at **4232 and 4202 8th Avenue** are currently zoned '**RM1 Low Density Multiple Family Residential**' on the Zoning Bylaw Schedule - A Zoning Map. A map amendment is required to re-zone the property to '**RM3 High Density Multiple Family Residential**' zone.
- d) The following text amendment to the Zoning Bylaw is required:
- i. Add Section 5.16.4 Site Specific Uses and include a table in that section as follows:

Use	Site Address	Site Legal Description
Maximum Height, Principal Building = 18 m (59 ft); and Maximum Number of Building Storeys = 5	4208 and 4238 8 th Avenue	4202 8 th Avenue - <i>Strata Lots 1-18, District Lot 1, Alberni District, Plan VIS3015 and</i> 4238 8 th Avenue - <i>Strata Lots 1-20, District Lot 1, Alberni District, Plan VIS3017</i>

Discussion

Surrounding Area

The property is located on the west side of 8th Avenue. The surrounding area consists of a mix of uses:

North: Institutional, Multi-family Residential, and Commercial
 East: Commercial, Industrial, and Institutional
 South: Multi-Family Residential
 West: Multi-Family Residential, Institutional, and Parks and Open Space

The properties are in close proximity to various community amenities including Alberni District Secondary School, North Island College, Alberni Valley Multiplex and Bob Dailey Stadium, and the Alberni Valley Museum. A main commercial area is also located a short distance away for shopping needs. Access to Roger Creek walking trails is within easy walking distance. Both Roger Street and 10th Avenue are main arterial roads and transit is readily available.

The properties are located within the tsunami inundation zone.

Official Community Plan:

No amendments to the Official Community Plan are required for this application to proceed.

Zoning:

The current zoning on the properties is 'RM1 – Low Density Multiple Family'. The site is made up of two legal parcels. The total site area is ±9,221 m² (± 99,250 ft²) with frontage on 8th Avenue being 102 m (336 ft.).

The requested zoning, 'RM3 High Density Multiple Family Residential', requires a minimum frontage of 30 m and the minimum lot area requirement is 1,120 m². The site meets all zoning requirements, except for proposed open space, building height, number of storeys, and parking. The Floor Area Ratio is subject to density bonusing of 1 with 75% underground parking.

Properties	Required RM3	Proposed
Lot Area	1,120 m ²	±9,221 m ²
Frontage	30 m	102 m (46m & 56m)
Max. Coverage	50%	33%
Open Space	2,160 m ²	2,125.7 m ²
Front setback	6 m	-
Side Setback	5 m	-
Rear setback	9m	-
Building Height	14 m (45.9 ft)	17.7 m (58 ft)
# of Storeys	4	2.5
FAR	1.3	1.28
Parking	170 (1.25)	159 (1.06)

The lots will be required to be consolidated into one parcel. A Development Permit will be required for the Form and Character of the development. A Development Variance Permit and a Development Permit will be required prior to a Building Permit being issued.

Traffic and Parking:

The development is proposed to be accessed by the lane along the north and west of the property. The city will not permit primary site access from the lane, and this will be addressed during the development permit stage.

The applicant will need to apply for a Development Variance Permit vary the parking requirement for the proposed development. The zoning bylaw requirement is 1.25 parking spaces for each dwelling unit for a total of 170 spaces. The applicant has proposed 159 parking spaces (1.06 for each dwelling unit) with 109 of those being underground spaces and 4 accessible spaces.

Reducing the number of parking spots would be reasonable for the proposed development as multi-family buildings have a lower demand for parking than other land uses. Additional parking stalls would also contribute to the overall cost of the development, and underground parking stall are typically sited as costing around \$25,000 to \$30,000 per unit.

Infrastructure and Servicing:

Water: There is a water main running along 8th Avenue. There is no information regarding a current connection and this will need to be investigated.

Sewer: There are sewer and drain pipelines along the north and south side of the properties and in the lane to the west of the property. There is no information regarding a current connection and this will need to be investigated. An easement appears to run through the properties to connect to the sewer manhole.

Agency Comments

BC Hydro:	No significant issues identified. BC Hydro has three phase power on both the east and west frontages of 4202 and the north, east, and west frontages of 4238. With an anticipated larger service, BC Hydro may need to do some reconfiguring of the circuit.
Canada Post:	If approved, and the existing street level single units are replaced with apartment/common lobby residential buildings the developer will be required to supply lock box assemblies (LBA) with parcel compartments and Canada Post will need access via the building intercoms with our locks to Canada Post Standards. To facilitate this Canada Post requests that the developer contact us in advance with development planning to ensure they will be able to provide proper mail service.
Fire Department:	No comments
TELUS:	No comments
Building:	No comments
RCMP:	No concerns
Parks and Rec:	Interests unaffected. Note fire truck turn around area.

Conclusions

In considering the Official Community Plan Bylaw and Zoning Bylaw amendments, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the site and for the community.

The proposed development is consistent with the Official Community Plan's land use designation. Moreover, the Official Community Plan is supportive of encouraging development within existing developed areas through infill and redevelopment. It is appropriate to encourage greater densification and redevelopment of this site due to proximity of commercial, recreational, public/institutional nodes, and community scale parks; proximity to major collectors and arterial roads; and because of the compatibility with adjacent land uses.

The Planning Department is supportive of multi-family development and of intensifying residential land use in strategic areas of the city. This redevelopment project will increase the supply of housing and provide new residential building stock in a central location. The proposed zoning amendments would permit an increase in maximum building height up to five (5) storeys or 18 meters. The proposed bylaw amendments are compatible with the neighbourhood and the Planning Department supports amending the bylaws.

Recommendations

1. *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 8th Avenue** from '**RM1 Low Density Multiple Family Residential**' to '**RM3 High Density Multiple Family Residential**' zone.*

2. *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	4208 and 4238 8 th Avenue	4202 8 th Avenue - Strata Lots 1-18, District Lot 1, Alberni District, Plan VIS3015 and 4238 8 th Avenue - Strata Lots 1-20, District Lot 1, Alberni District, Plan VIS3017

3. *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.*

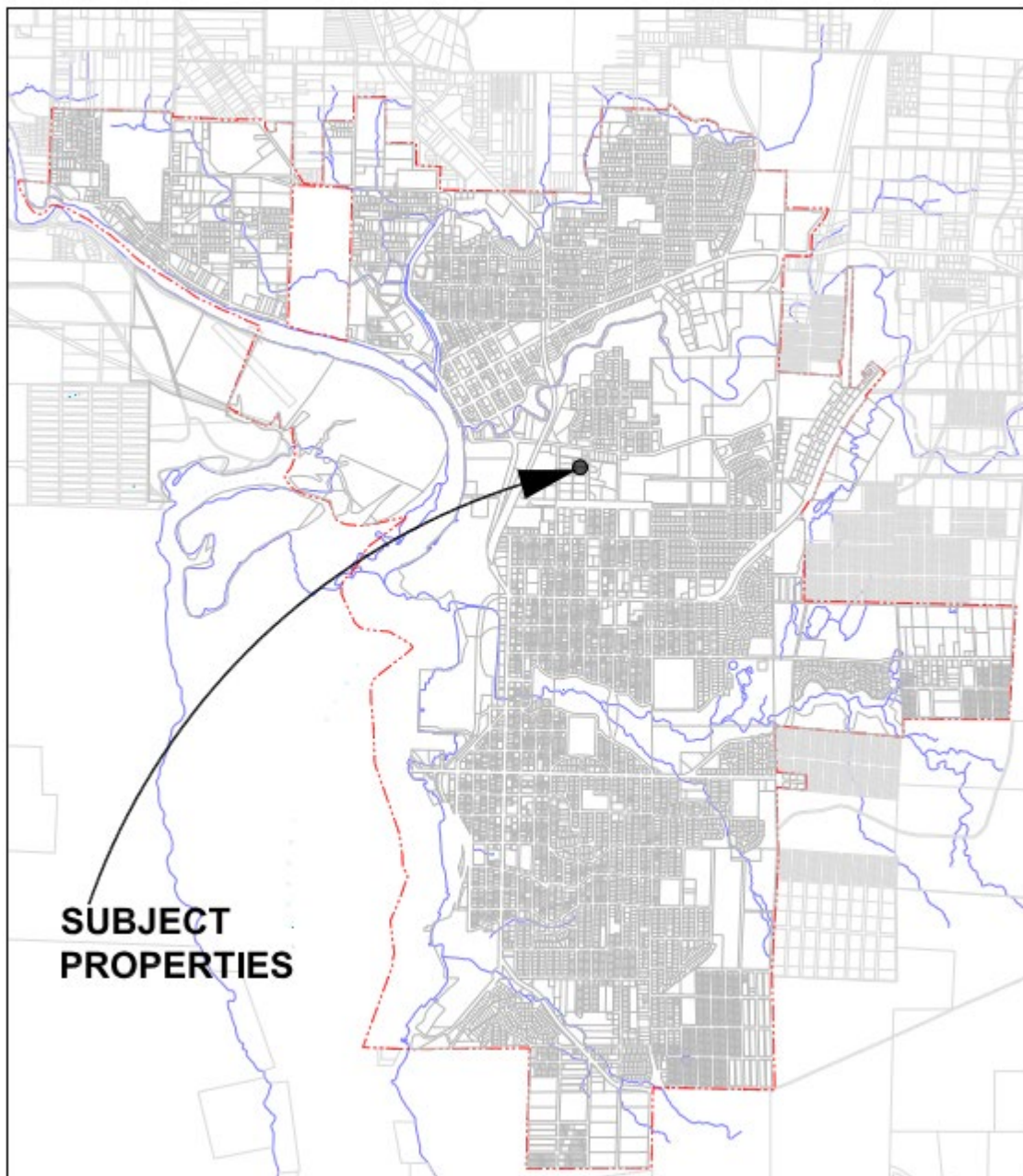
Respectfully submitted,



Katelyn McDougall, M.Urb
Manager of Planning



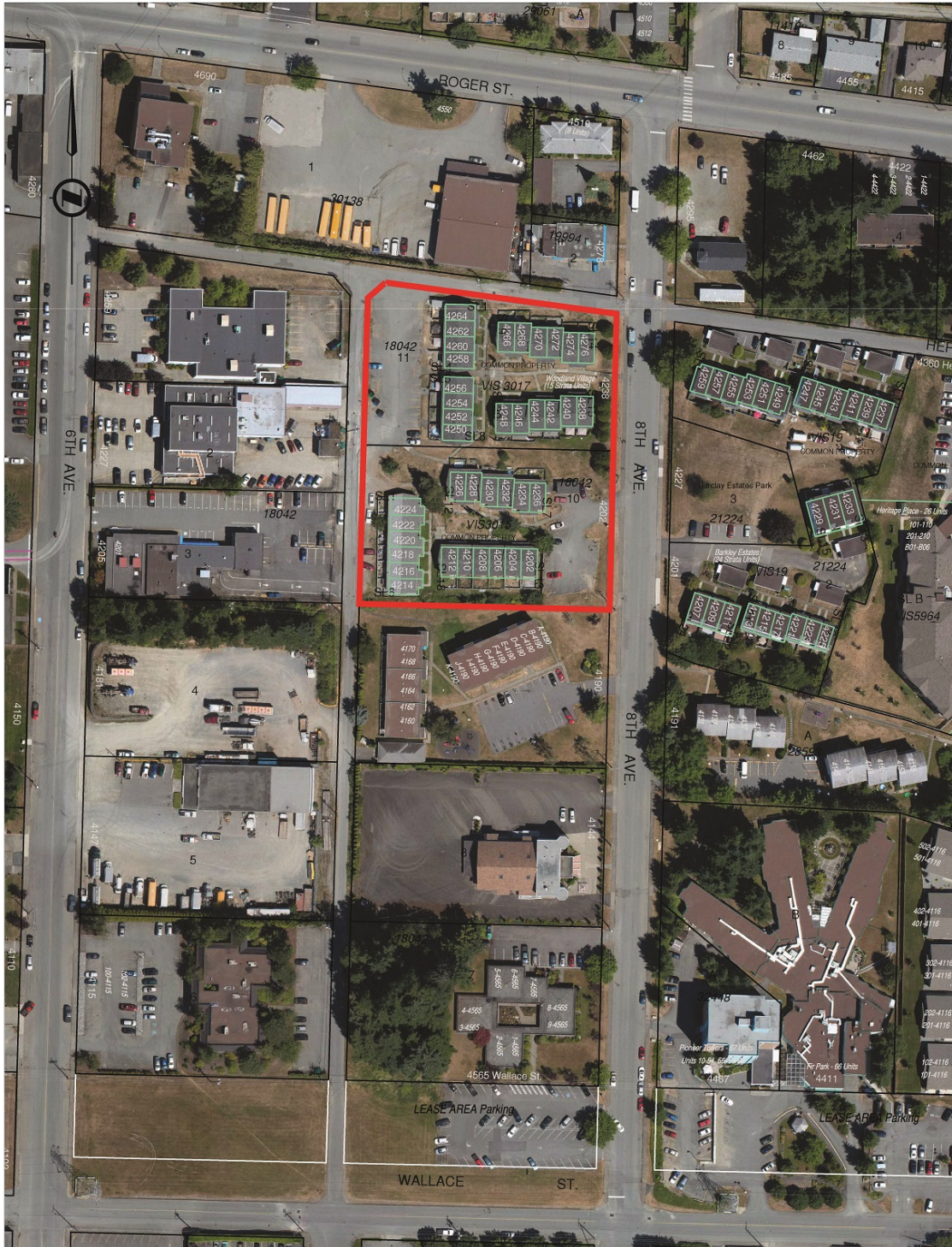
CITY OF PORT ALBERNI LOCATION MAP



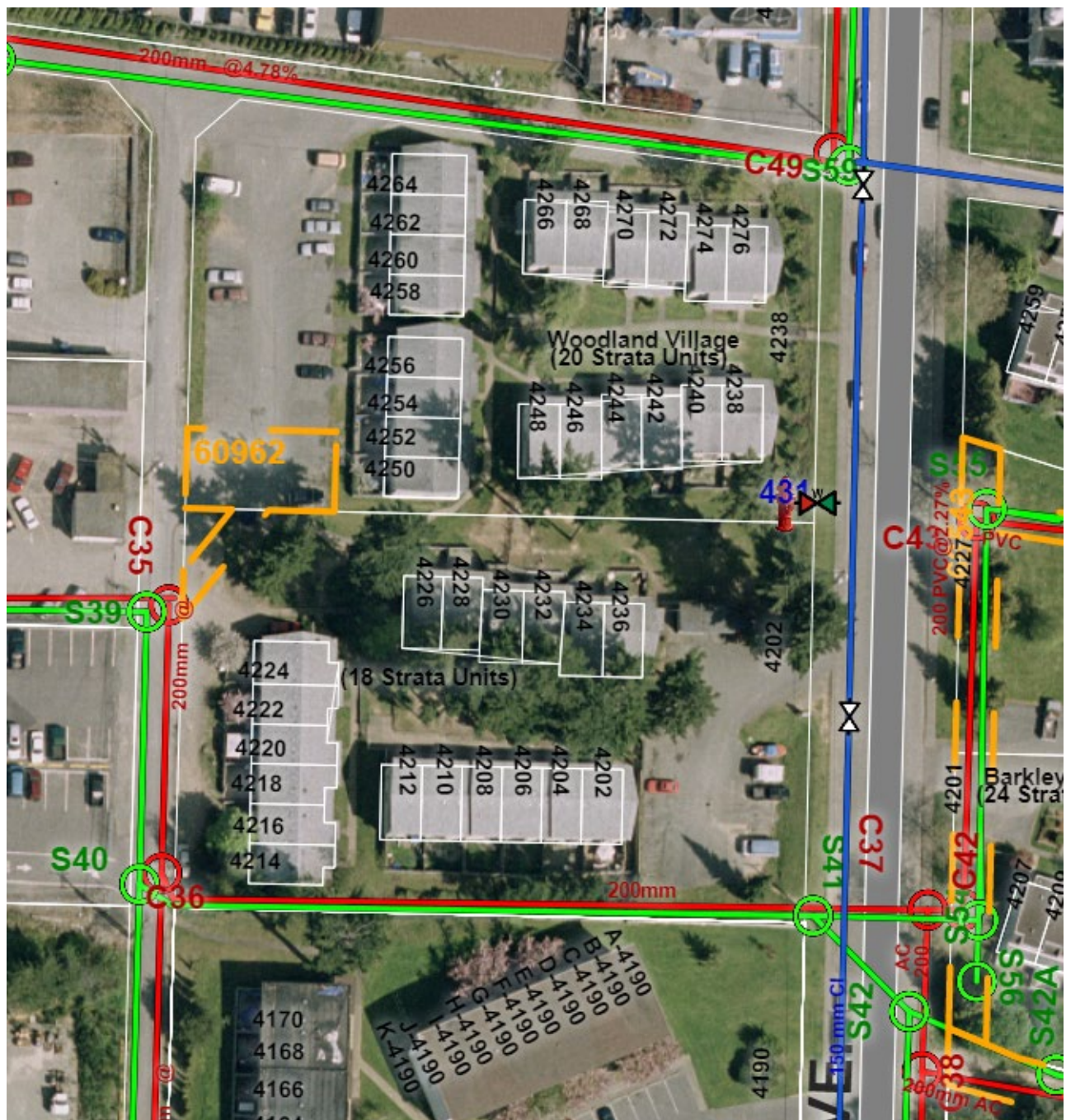
**SUBJECT
PROPERTIES**

4208 and 4238 8th Avenue

SUBJECT PROPERTIES - 3250 and 3258 3rd Avenue



SERVICING and INFRASTRUCTURE



RM3 – HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL

5.16 The purpose of this zone is to provide for higher density multiple *family* residential development.

5.16.1 Permitted usesPrincipal Uses*Boarding and lodging**Community care facility**Multiple family dwellings**Single family dwelling**Two family dwelling*Accessory Uses*Home occupation*5.16.2 Site Development RegulationsMinimum *Lot Area**Multiple family dwelling* 1,120 m² (12,056 ft²)Minimum *Frontage**Multiple family dwelling* 30 m 98.4 ftMaximum *Coverage*

50%

Minimum *Setbacks*:*Front yard*

6 m (19.7 ft)

Rear yard

9 m (29.5 ft)

Side yard

5 m (16.4 ft)

Maximum *Floor Area Ratio*

1.2

Maximum Height, Principal *Building*

14 m (45.9 ft)

Maximum Number of Principal *Building Storeys*

4

5.16.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.16.2, *useable open space* shall be provided on the *lot* at the rate of not less than 45 m² (484.4 ft²) for each *dwelling* unit containing 3 or more bedrooms, and not less than 18 m² (193.3 ft²) for each *dwelling* unit of smaller size.
- (b) Groups of single and two *family* or multiple *family* dwellings are permitted, as an exception to Section 6.1 of this bylaw.
- (c) *Density bonusing* may be utilized as follows:
 - (i) Where greater than seventy-five (75%) of the required off-*street* parking is provided *underground* or enclosed underneath the principal *building*, the maximum *floor area ratio* may be increased by 0.1; and
 - (ii) Where elevators are provided and a minimum of ten percent (10%) of the *dwelling* units are designed as *accessible*, the maximum permitted *floor area ratio* may be increased by a maximum of 0.1; and

- (iii) Where a minimum of ten percent (10%) of the *dwelling* units are designated as affordable, as specified in a *Housing Agreement* and where the owners enter into a *Housing Agreement* with the City, and where this Agreement is filed with the Land Title Office, the permitted maximum *floor area ratio* of the principal *building* may be increased by a maximum of 0.1.
- (e) In multi-family residential zones, *home occupation* as a permitted *use* is restricted to *office* space for a business which is lawfully carried on at another location.
- (f) Site development for single *family* and two *family* dwellings must be in accordance with R2 zone regulations provided in Sections 5.12.2 and 5.12.3.

5.16.4 Site Specific Uses

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

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
(Bylaw 4914) <u>Site Specific Accessory Uses:</u> <i>Hostel</i> <i>Restaurant</i> <i>Pub</i> <i>Assembly</i>	<i>4815 Argyle Street</i>	<i>Lot 7, Block 41, District Lot 1, Alberni District, Plan 197B (PID: 009-251-162) and Parcel A, Block 41, Plan VIP197B, Alberni Land District (Being a consolidation of Lots 8 & 9, See FB348042)</i>

PROPOSED



2 From Lane Looking South



4 NW Bird Eye



6 SE Corner



1 From Lane Looking North



3 NE Corner



5 Plaza



8TH AVE. REDEVELOPMENT

4202 & 4238 - 8th Ave. Port Alberni, B.C.

Perspectives

A0.1

Dec. 10, 2018

