



File # 11.60.00

To: Port Alberni Advisory Planning Commission

Chris Colclough - Chair
Wes Hewitt – Vice Chair
Vern Barnett
Seva Dhaliwal
Linda Kelsall
Diane Currie

Jim Tatoosh (Hupacasath First Nation)
Janice Johnson (Tseshah First Nation)
Larry Ransom - (SD #70)
S. Sgt. Dave Paddock - (R.C.M.P. Liaison)
Councilor Chris Alemany (Council Liaison)
Randy Thoen (P.A.F.D. Liaison)

From: Scott Smith, City Planner

Copy: Councillor Ron Paulson - (Alternate - Council Liaison)
John Bennie - (Alternate - School District #70)
Sgt. Dave Boyce – (Alternate – R.C.M.P. Liaison)
Cara Foden - Planning Technician
Digital Copy - Davina Hartwell - City Clerk
Digital Copy - Jane MacNaughton/Tanis Feltrin - Clerks Department

Date: July 23, 2015

Re: Advisory Planning Commission Meeting
Thursday, June 25, 2015 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, July 30, 2015 at 12:00 pm in the Committee Room at City Hall**. If you have any questions or are unable to attend please contact Scott Smith at 250-720-2808 (voice mail available).

AGENDA

- 1. Minutes of the June 25, 2015 meeting of the Advisory Planning Commission.**
- 2. DEVELOPMENT APPLICATION – Development Variance Permit 87**
4065 6th Ave.- That part of Lot 16, District Lot 1, Alberni District, Plan 136852 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16. (PID: 004-625-919)
Applicant: E. Drew dba Slammer's Gym Inc.
- 3. DEVELOPMENT APPLICATION – Development Variance Permit 88**
3033 - 3rd Ave.- Lot A (DD EC48539) Block 55, District Lot 1, Alberni District, Plan VIP197B. (PID: 013-965-492)
Applicant: J. Saroya

4. **Update - City Planner - Status of current projects.**
5. **Resignation of Diane Currie.**
6. **Other business.**
7. **Adjournment. - The next regular meeting is scheduled for August 20, 2015.**



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on June 25, 2015
in the Committee Room at City Hall at 12:00 p.m.)**

Advisory Planning Commission

Chris Colclough (Chair)
Wes Hewitt (Vice-Chair)
Vern Barnett
Diane Currie
Jim Tatoosh (Hupacasath First Nation)
Linda Kelsall
Seva Dhaliwal
Janice Johnson (Tseshah First Nation)
Randy Thoen (P.A.F.D. Liaison)

Regrets

S. Sgt. Dave Paddock - (R.C.M.P. Liaison)
Larry Ransom (S.D.70)
Councillor Chris Alemany (Council Liaison)

Staff

Scott Smith, City Planner
Cara Foden, Planning Technician

Guests

Cheri Newberry – Applicant's representative
Eliott Drew

Alternates (not in attendance)

John Bennie (Alternate S.D.70)
Councillor Ron Paulson (Alternate – Council)
Sgt. Dave Boyce (Alternate - R.C.M.P.)



1. Adoption of May 21, 2015 Minutes

- Introductions were made around the room.
- The minutes of the May 21, 2015 meeting of the Advisory Planning Commission were adopted.

(Currie / Barnett) CARRIED

2. DEVELOPMENT APPLICATION – Development Variance Permit 86

4065 McBride Street - Rem. Lot 1, District Lot 112, Alberni District Plan VIP65723 Except Plan VIP70425 (PID: 024-724-653)

Applicants: Murray Banting dba Tideline Resources Ltd, Agent for Cherry Creek GP Ltd.

The City Planner summarized his report to the APC dated June 16, 2015.

- The APC discussed the application as follows:
 - The minimum road width will need to be considered, for the strata development, during the Building Permit process.
 - The cul-de-sac will need to meet the minimum radius requirements for emergency response purposes.
 - The site is within the Multi-Family Development Permit Area.
 - Existing services that run through the site will be discussed and a Statutory ROW will be

considered as the parties work through the details of the proposed road exchange agreement.

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:*
 - a) *Vary Section 5.14.2 Site Development Regulations, for the Front Yard Setback, from 7.5 metres to 5 metres, a variance of 2.5 metres; for Rem. Lot 1, District Lot 112, Alberni District Plan VIP65723 Except Plan VIP70425 (PID: 024-724-653) located at 4065 McBride St.*
 - b) *Vary Section 5.14.2 Site Development Regulations, for the Rear Yard Setback, from 9.0 metres to 3.5 metres, a variance of 5.5 metres; for Rem. Lot 1, District Lot 112, Alberni District Plan VIP65723 Except Plan VIP70425 (PID: 024-724-653) located at 4065 McBride St.*
2. *That City Council provides notice of intent to consider the issuance of a Development Variance Permit for Rem. Lot 1, District Lot 112, Alberni District Plan VIP65723 Except Plan VIP70425 (PID: 024-724-653) located at 4065 McBride St.*

(Hewitt / Barnett) CARRIED

3. DEVELOPMENT APPLICATION – Official Community Plan Bylaw and Zoning Bylaw Amendments

3539 & 3545 4th Avenue - Lot 15 and Lot 16, Block 45, District Lot 1, Alberni District, Plan VIP197B (PID's: 009-252-347, 009-252-363);

Applicant: C. Stevens dba Port Alberni Friendship Centre

The City Planner summarized his report to the APC dated June 17, 2015.

- The APC discussed the application as follows:
 - There was discussion regarding options and methods that might be considered for traffic calming that may help mitigate the speed concerns in the vicinity of the proposed daycare centre. The APC members expressed that they believe this is necessary. The City has not yet met with the Friendship Centre representatives to discuss the specific details of the drop-off design. Traffic on 4th Avenue will be a consideration when the final design is done. Options will be considered by the City and the Friendship Centre.
 - Fencing was also discussed and it was noted that the Province will require fencing of the daycare portion of the site as part of the licensing process. The applicant also indicated they had plans to fence the east side of the site.
 - Parking was discussed and it was noted by the City Planner that the amalgamation of the lots would facilitate a plan that will meet the parking requirements on the site.
 - The applicant advise the APC that the Friendship Centre is not exempted from municipal tax payments.

MOTIONS:

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan (Schedule A – Land Use Map) to change the designation of Lot 15 and Lot 16, Block 45, District Lot 1, Alberni District, Plan VIP197B, (PID's: 009-252-347, 009-252-363), located at 3539 & 3545 4th Avenue, from Parks and Open Space to **Institutional**; and*
2. *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 Lot 15 and Lot 16, Block 45, District Lot 1, Alberni District, Plan VIP197B, (PID's: 009-252-347, 009-252-363), located at 3539 & 3545 4th Avenue, from C3 – Service Commercial to **P1 – Institutional**.*

(Kelsall / Hewitt) CARRIED

4. DEVELOPMENT APPLICATION – Zoning Bylaw Text Amendment

4065 6th Ave.- That part of Lot 16, District Lot 1, Alberni District, Plan 136852 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16. (PID: 004-625-919)

Applicant: E. Drew dba Slammer's Gym Inc.

The City Planner summarized his report to the APC dated June 18, 2015.

- The APC discussed the application as follows:
 - Proposed hours of operation for the restaurant are 4pm – 12:30am from Tuesday through Saturday.
 - Pending Building Code requirements there is no plan to install windows in the basement of the building where the restaurant will be located.
 - Parking was discussed in depth as that is one of the issues that will need to be resolved prior to zoning bylaw amendment approval.
 - 20 parking spaces could be provided on the site but the options for making up the parking deficit include pursuing a Development Variance or pursuing a separate rezoning that would allow the applicants to work with the City to develop parking on an adjacent City owned lot.
 - The applicant indicated that they would prefer to pursue a Development Variance versus creating a parking lot on City land due to the high cost involved in paving another lot.
 - Parking issues exist between the proposed restaurant and the nearby funeral home. The APC expressed that the City lot would make a good site. It was also noted that the hours of operation for the Funeral Home would not conflict with the proposed restaurant hours of operation.
 - Future impact should be considered as issues that may not be evident now could arise.
 - Catering will support the Hall but it will not be mandatory for customers to use the proposed restaurant exclusively. Customers will be able to use their choice of catering service providers.
 - The facility will be required to comply with Provincial Liquor regulations.
 - The building was designed for mixed use (P.A.F.D.) and that is appropriate for this building with respect to ducting, venting and accessibility ramps.

MOTIONS:

1. That the Advisory Planning Commission recommends to City Council that the City proceed with a text amendment to the Port Alberni Zoning Bylaw 2014, No. 4832 to:

- a) Delete all text under Section 5.31 P1 Institutional; and
- b) Add the following text under Section 5.31 P1 Institutional:

“P1 – INSTITUTIONAL

- 5.31 The purpose of this zone is to establish and maintain areas in which institutional uses can be accommodated and located in a manner complementary with surrounding uses.

5.31.1 Permitted uses

Principal Uses

Ambulance station
Arena
Assembly, cultural or recreational facility
Childcare centre
Community care facility
Dormitory
Firehall
Hospital
Hostel
Medical service
Office
Parking lot
Personal service
Place of worship
Police station
Pound
School
Supportive housing
Transition house
Tutoring service

Accessory Uses

Caretaker's dwelling unit, subject to Section 6.16

Site Specific Accessory Uses as permitted under Section 5.31.4.

5.31.2 Site Development Regulations

Minimum Lot Area	540 m ²	(5813 ft ²)
Minimum Frontage	15 m	(49.2 ft)
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)

<i>Rear yard</i>	9 m	(29.5 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum Height, Principal <i>Building</i>	12.5 m	(41 ft)
Maximum Number of Principal <i>Building</i>	3	
<i>Storeys</i>		

5.31.3 Conditions of Use

- (a) Notwithstanding the provisions of 5.31.2, the total of both *side yards* must be equal or greater than 20% of the *lot width*.
- (b) *Community care facilities* for seniors may include an accessory beauty shop or other provision of other *personal services*, limited to 16m² (172 ft²) in floor area and 2 service chairs, operating between the hours of 8:30 am to 5:00 pm, Monday to Friday and 9:00 am to 12:00 pm on Saturday.

5.31.4 Site Specific

A.

The following *Accessory Uses* are permitted on the property located at 5100 Tebo Avenue (Lot 1, District Lot 13, Alberni District, Plan VIP78180 (PID: 001-346-377)):

- Artist's studio
- Cabinet making
- Custom woodworking
- Furniture repair and upholstery
- Ornamental metal working
- Printing, publishing and allied industry
- Signs and displays industry
- Small repair shop

- i. The following conditions apply to *Accessory Uses* listed in 5.31.4.A:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 1077 m² (11,592 ft²).
 - c) No retail activity is permitted as part of any business located on the property.

B.

Site - 4411 Wallace Street - Lot B, District Lot 1, Alberni District, Plan 32448 VIP78180 (PID: 000-154-130)

- i. Notwithstanding the maximum coverage provisions of Section 5.31.2,

for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

C.

Site - 4065 6th Avenue - Lot 16, District Lot 1, Alberni District, Plan 13685 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16 (PID: 004-625-919)

- i. The following accessory use is permitted:
 - Restaurant
- ii. The following conditions apply to *Accessory Uses* listed in 5.31.4.Ci:
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
 - b) The total area occupied shall not exceed 481 m² (5180 ft²).

”

2. *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to resolve the parking space deficiency before final adoption of the bylaw.*

(Kelsall / Barnett) CARRIED

5. Update – Status of current projects

The City Planner updated the APC with regards to the following projects:

- Zoning Amendment No. 6 (5081 Ian Avenue - VanVliet), Bylaw No. 4867 was adopted on June 8.
- Development Variance Permit No. 85 was approved June 22/15
- Temporary Use Permit No. 13-01- 3 year extension was approved June 22/15
- "Zoning Text Amendment No. T5 (Microbrewery in C3 Service Commercial), Bylaw No. 4873" needs MOTM approval before final adoption.

6. Other Business

- Members asked about the large rooftop blow up sign on Slammer's Gym. Planner will investigate.

7. **Adjournment** – The meeting adjourned at 1:00 p.m. The next meeting will be **July 16, 2015** at 12:00 pm in the Committee Room at City Hall.

(Kelsall / Barnett) CARRIED



City Clerk

Chair



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: July 23, 2015

SUBJECT: DEVELOPMENT APPLICATION - Development Variance

4065 6th Avenue - That part of Lot 16, District Lot 1, Alberni District, Plan 13685 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16. (PID: 004-625-919)

Applicant: E. Drew dba Slammers Gym Inc.

ISSUE

At issue is the consideration of an application for a Development Variance Permit (DVP). The applicants are applying to vary Zoning Bylaw regulations to decrease the number of required parking spaces for the permitted uses.

BACKGROUND

The property at 4065 6th Avenue is designated Institutional in the OCP and zoned P1 – Institutional in the Zoning Bylaw. There is a site specific Zoning amendment application currently being considered on the property to allow the operation of a restaurant on the premises. The property is 40.2 metres (132 ft.) wide, and has a depth of 45.7 metres (150 ft.) giving it an area of 1839.4 m² (19,800 ft²). The legal frontage and current parking spaces are accessed off Wallace St. and the physical entrance to the building is located off 6th Avenue.

Although there is no proposed expansion to the building, the change of use for a portion of the building, from hall to restaurant, results in a higher parking requirement. In order to permit the operation of a restaurant a variance is required to the parking regulations.

DISCUSSION

Surrounding Area

The area is a mix of commercial, light industrial, institutional and residential uses. There are multi-family residential buildings directly to the east of the property on 7th Avenue, with office buildings and John Paul II Catholic School on the other side of 7th Avenue. To the north is the hydro right-of-way with the main transmission towers, with offices and Slammers Gym further north. To the west are the Telus building and former BC Hydro facility. To the south is City owned park property that is leased to the Italian Society, with a funeral home facility further south and residences to the southwest.

Parking

The Zoning bylaw regulations for the Required Amount of Parking:

- *Restaurant 1 per 4 seats*
- *Public Assembly place - 1 per 40 m² (431 ft²) of gross floor area or 1 per 4 seats, whichever is greater*

The reconfigured parking lot (plan attached) will have 16 on-site parking spaces, including 2 handicapped spaces. The upper hall area requires 13 parking spaces. The proposed 80 seat restaurant requires 20 parking spaces. The Zoning bylaw regulations would require a total of 33 on-site parking spaces for the proposed project. The applicant is requesting to reduce the number of on-site parking spaces required from 33 to 16, a variance of 17 parking spaces.

Although the requested parking variance is significant, the former Italian Hall has hosted many large events with several hundred people. The location of the property has some advantageous circumstances for accommodating parking. Wallace Street is adjacent to the Hydro transmission tower right-of-way that is City owned land. A significant amount of on-street parking can be accommodated along the north side of Wallace Street without interfering with any private property. On-street parking on 6th Avenue in front of the Telus building also provides further parking without interfering in the business.

CONCLUSIONS

Although the on-street parking cannot be considered in order to meet the parking requirements of the Zoning Bylaw, the unique circumstances in the area of 4065 – 6th Avenue could be considered in the variance request. Given the history of large events being held at this location, the on-street parking does not have a significant impact on the adjacent properties. The Planning Department supports the issuing of a Development Variance Permit for 4065 6th Avenue.

RECOMMENDATIONS

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw 4832 as follows:*
 - a) *Vary Section 7.9 Required Amount of Parking regulations from 33 parking spaces to 16 parking spaces, a variance of 17 parking spaces for the property located at 4065 6th Avenue.*
2. *That City Council direct staff to give notice of intent to consider the issuance of Development Variance Permit No. 87 for 4065 6th Avenue.*

Respectfully submitted



Scott Smith, MCIP
City Planner

SITE MAP:



ADDRESS: 4065 6TH AVENUE
LEGAL:
ZONING: P-1

LOT SIZE: 0.206 ha.

SETBACKS:
FRONT: 6.35m
REAR: 0.3m
SIDE: 14.43m
EXT. SIDE: 17.22m

COVERAGE: 36.3%

PARKING: 14 STANDARD
2 ACCESSIBLE

Drawn by	NA
Checked by	CJ

Carsten Jensen Architect

1148 BOWE PLACE
QUALICUM BEACH, BC., V9K 1M8
TELEPHONE: (250) 752 0292
carsten@carstenjensenarchitect.com

MATRIX & SITE PLAN

ITALIAN HALL RENOVATIONS

4065 6th AVE., PORT ALBERNI, V9Y 4M7

[illegible]

Project number	1502
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Date	JUN. 03, 2015
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A101

Scale	As indicated
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3/3/2015 2:22:04 PM

1 SITE PLAN
1 : 150

NOT FOR CONSTRUCTION



CITY OF PORT ALBERNI

PLANNING DEPARTMENT REPORT TO ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, City Planner

DATE: July 23, 2015

SUBJECT: Development Variance Permit:

3033 - 3rd Avenue

Lot A (DD EC48539), Block 55, District Lot 1, Alberni District, Plan VIP197B

PID: 013-965-492

Applicant: Jaspal Saroya

Issue

To consider an application for a Development Variance Permit to vary the Zoning Bylaw regulations for the maximum number of building storeys permitted and the maximum building height permitted for a proposed development at 3033 - 3rd Avenue.

Background

The owner of the currently vacant lot is proposing a mixed use development that would consist of 40 residential units totaling 3,483 m² (37,490 ft²), plus 8 commercial units with 553 m² (5,952 ft²) space. The attached plans show the five storey building elevation and the general interior layout of the building. The 1st floor contains 8 commercial units as well as storage locker spaces for the residential units on the upper floors and a mechanical room. Each of the 4 residential storeys will include 10 dwelling units for a total of 40 units. The two bedroom units vary in size from 72.5 m² to 80 m² (780 to 861 ft²). Each residential unit is equipped with a small balcony.

The property at 3033 - 3rd Avenue is one legal parcel (see attached aerial plan) and is zoned C7 – Core Business. The proposed mixed commercial and residential building is a permitted use in the C7 zone. Multi-family residential development in the Uptown area is supported in the Official Community Plan and the Uptown and Waterfront Redevelopment Study. The property is within Development Permit Area No. 2 (Commercial). The development permit process will require a review of the form and character of the project and will be presented to City Council for approval. This report covers only the requested variances to the Zoning bylaw for the project at 3033 - 3rd Avenue.

Discussion

Surrounding Area:

The property is located along the main 3rd Avenue commercial artery in the uptown area. Small businesses and offices are the primary occupants in all of the surrounding properties with some buildings currently containing some residential and/or office units above the ground level.

Building Height:

The C7 zone has density bonusing provisions that allow a developer some latitude to increase the number of storeys and maximum height permitted if certain criteria are met. Under the density bonusing provisions, the permitted number of storeys is increased to six and the maximum height is increased to 18 metres (60 feet). The proposed project does not meet the density bonusing provisions and the applicant is therefore seeking variances for the project.

The standard maximum building height permitted is 14 metres (45.9 ft) in the C7 zone. The applicant is seeking a variance of the maximum building height from 14 metres to 17 metres (55.7 ft).

Some of the neighbouring commercial buildings to the east may have their views of the Alberni Inlet impacted. With the natural downward slope of this area from east to west, the impact on the views should be reduced. The building will not impact the important view corridor along Argyle Street. There will be a limited shadow effect for nearby properties to the west across 3rd Avenue. These are primarily commercial properties and the shadow effect should not be as significant as it would be for residential buildings.

Number of Storeys:

The maximum number of building storeys permitted in the C7 zone is four (4). The applicant is seeking a variance of the maximum number of building storey from four (4) to five (5). Although this building would become the tallest in the Uptown area, it would not be the tallest in the City as the residential building near 10th Avenue and Morton Street is ten storeys. An elevator is proposed to provide access to all storeys in the building.

The Fire department has done a very preliminary review of the concept plans and does not object to the height of the building. A full code review will be required at the building permit stage for the project.

Open Space / Balconies

There is no requirement for common Open Space or Balconies in the C7 Core Business zone however the developer is proposing to include a small balcony on each of the 40 residential units. Many modern residential towers do not provide balconies.

Parking

In the C7 zone most commercial uses do not require on-site parking because of the amount of on-street parking provided in the area. Therefore, parking spaces are not required for the commercial portion of the development. Residential dwellings in the C7 zone require on-site parking of 0.5 parking spaces per residential unit above commercial space. The required parking for the development would be 20 spaces. The proposal includes plans for 28 parking spaces including 2 handicapped spaces which exceed the requirements.

Some residents who will live in the building will not have vehicles. The need for every resident to have a vehicle is reduced in a downtown setting as the residents can take advantage of shopping at the local businesses and make use of the available transit.

Variance Summary:

<u>Zoning Requirement</u>		<u>Regulation</u>		<u>Proposed</u>	<u>Variance</u>
Max. Building Height	from	14.0 m	to	17 m	3 m
Max. Number of Principal Storeys	from	4	to	5	1

Conclusion

There are two variances to the Zoning Bylaw being requested for the project at 3033 3rd Avenue as noted below:

1. To increase the maximum building height by 3 metres to 17 metres.
2. To increase the maximum number of storeys permitted from 4 to 5.

The proposed project is a major redevelopment in the Uptown core and will add a significant residential component. The Official Community Plan and the Uptown and Waterfront Redevelopment Study both support residential densification in the Uptown Core. Residential uses above ground floor commercial uses can provide different forms of housing, increase vibrancy in the area and enhance the area as a people oriented place.

The Planning Department supports the issuing of a Development Variance Permit to 3033 - 3rd Avenue.

Recommendations

The following resolutions are proposed:

1. *That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw #4832 as follows:*
 - a. *Vary Section 5.24.2 Site Development Regulations, Maximum Height, Principal Building from 14.0 metres to 17 metres, a variance of 3 metres, on Lot A (DD EC48539), Block 55, District Lot 1, Alberni District, Plan VIP197B, PID: 013-965-492 (3033 3rd Avenue).*
 - b. *Vary Section 5.24.2 Site Development Regulations, Maximum Number of Principal Building Storeys from 4 to 5, a variance of 1 storey, on Lot A (DD EC48539), Block 55, District Lot 1, Alberni District, Plan VIP197B, PID: 013-965-492 (3033 3rd Avenue).*

-
- c. *That City Council give notice of intent to consider the issuance of a Development Variance Permit for Lot A (DD EC48539), Block 55, District Lot 1, Alberni District, Plan VIP197B, PID: 013-965-492 (3033 3rd Avenue).*

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'S. Smith', written over a horizontal line.

Scott Smith, MCIP
City Planner

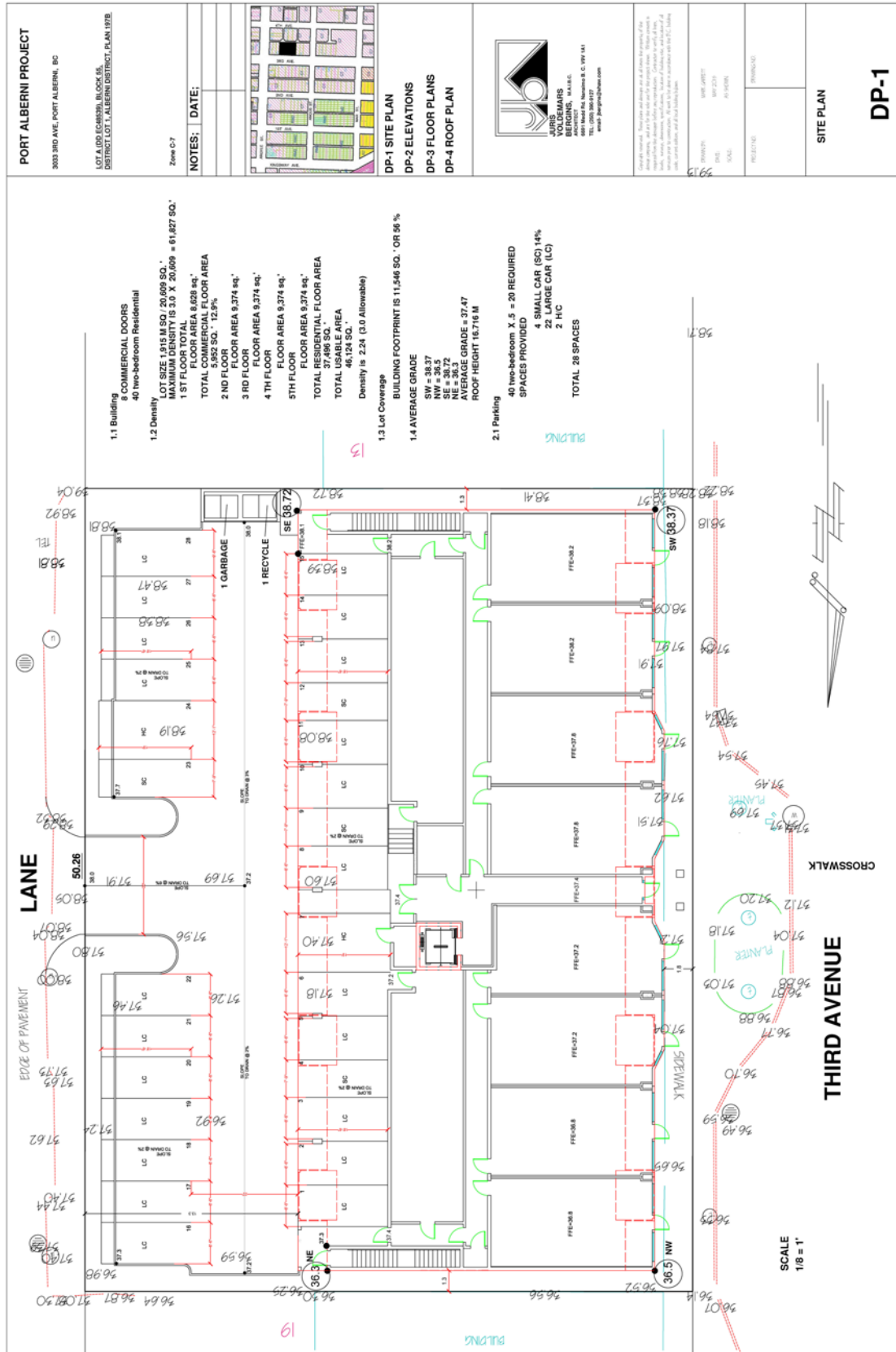


CROSSWA

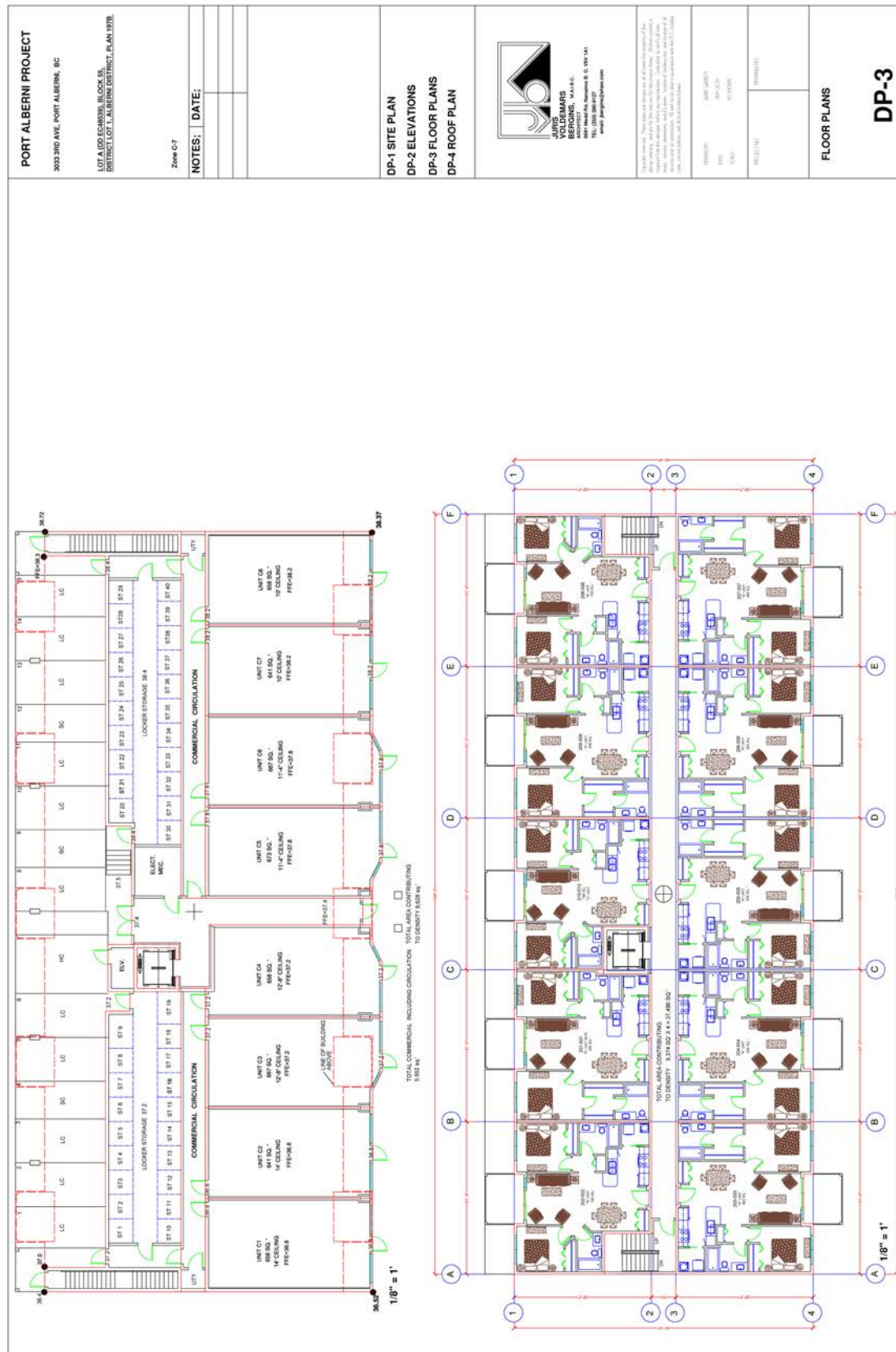


ONE PLAN

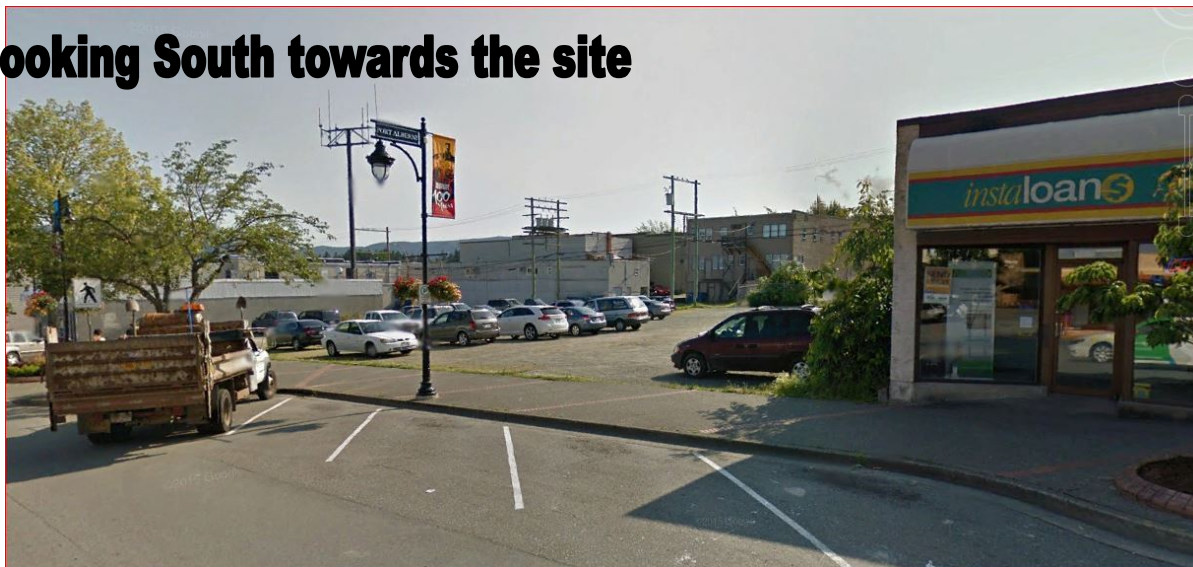
DP-1







Looking South towards the site



Looking North towards the site



Looking West across 3rd Ave.

