



**Summary Report / Minutes of the Advisory Planning Commission Meeting  
(Held on December 19, 2019  
in the Committee Room at City Hall, at 12:00 p.m.)**

**Advisory Planning Commission Present**

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

**Guests**

Members of the Public: Callan Noye  
John Jessup, Applicant  
Daryoush Firouzli  
Derek Appleton  
Larry Ransom (Alternate S.D.70)

**Staff**

Katelyn McDougall, Manager of Planning  
Cara Foden, Planning Technician  
Kevin Peters, Building Inspector

**Regrets**

John Douglas (Vice-Chair)  
Cynthia Dick, Tseshaht (č išaaʔath) F.N.  
Jim Tatoosh, Hupačasath F.N.

**Alternates (not in attendance)**

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



**1. MINUTES - Adoption of November 21, 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 applicants present were welcomed by the Chair.

**Motions:**

1. *That the City of Port Alberni Advisory Planning Commission adopt the minutes of the November 21, 2019 regular meeting together with the following amendment:*
  - a) *Under Item 4 UPDATE replace “Manager of Planning” with “CAO”.*

**( McRae / Anaka ) CARRIED**

**2. DEVELOPMENT APPLICATION: Development Variance Permit**

**6151 Russell Place** - Lot 1, Plan VIP15459, Section 9, Alberni Land District (PID: 001-868-128)

**Applicant:** Daryoush Firouzli, Architect as Agent for The Westcoast Native Health Care Society

- The Manager of Planning summarized her report to the APC dated December 11, 2019.
- Applicant invited comments or questions and indicated that the project is designed to support the option of “aging in place”. The Rainbow Gardens facilities on the site provide increasing

degrees of care. Neighbours will receive notice of the proposed Development Variance Permit and will have opportunity to provide comment.

- The APC discussed the application as follows:
  - There was some discussion regarding the topography of the site. The applicant indicated that the treed area to be developed had been cleared as per recommendations from an Arborist. New landscaping and plantings are planned.
  - The location of the proposed retaining wall was discussed and the Architect indicated that the wall will not be located where the soil is unstable but it will serve to protect the area between the proposed building and the sloped land. The building cannot be pushed any further to the west due to soil conditions there. Geotechnical work will be focused on the actual building rather than the retaining wall. Drainage is naturally directed towards Russell Place.
  - It is unlikely that the site will be able to support any further development following the construction of the proposed building. No further building is planned.
  - There are currently 50 persons on the waitlist for the proposed 39 units. The building will be geared to seniors aged 55+.
  - It was noted that the area does not fall within a Development Permit Area in the Official Community Plan. Height and massing of the building with respect to neighbourhood impact was discussed along with potential shadowing of existing facilities.
  - The applicant reported that the topography is ~4.5m below grade so the building will appear to be more like three (3) storeys than the proposed five (5) storeys. The location of the building will provide minimal shadow on the existing facilities and none on neighbouring properties. It was noted that any shadowing that resulted would affect only the Rainbow Gardens site itself.

### **Motions:**

1. *That, respecting the property located at 6151 Russell Place - Lot 1, Plan VIP15459, Section 9, Alberni Land District (PID: 001-868-128), 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, Maximum Height, Principal Building, from 12.5 m to 17.71 m, a variance of 5.21 m.*
  - b) *Vary Section 5.31.2 P1 – Institutional, Maximum Number of Principal Building Storeys, from three (3) to five (5) storeys, a variance of two (2) storeys.*
2. *That City Council direct staff to give notice of intent to consider the issuance of Development Variance Permit No. 98 for 6151 Russell Place.*

**( McRuer / Washington ) CARRIED**

### **3. DEVELOPMENT APPLICATION: Secondary Suites - Zoning Amendments** **City wide** **Applicant:** City of Port Alberni

- The Manager of Planning summarized her report to the APC dated December 11, 2019.

- The APC discussed the application as follows:
  - APC noted concern that the initial report to Council had not been referred to the Commission and they were very glad to see this current report coming before the APC.
  - APC noted that the provincial regulations allow for a municipality to regulate suites in a manner appropriate for the community's needs.
  - The Building Inspector provided information regarding new regulations from the Province that can be considered by municipalities when they are regulating suites. There will be a need to consider the more complex issues around suites in Duplex housing. The new regulations will allow for consideration of that option.
  - It was noted that staffing and resources are important to consider. It was asked if Port Alberni received many questions about removing the zoning requirement that suites be permitted only in owner occupied residences. There have been inquiries but they have not been tracked.
  - APC wondered if laneway and carriage homes will be considered in the future and the Manager of Planning responded that they would. Support for carriage housing was voiced by APC members.
  - It was noted that the A.C.R.D. does not have an "owner occupied" requirement but that the residential environment was generally different than within the urban/city setting. Port Alberni has many buildings and businesses that are challenged. The lowest common denominator is a great goal.
  - One member mentioned concern that removing the "owner occupied" clause would essentially mean that a single family dwelling becomes a "duplex".
  - Many communities have preserved the "owner occupied" clause. Communities without the clause were not specifically contacted.
  - The cost of permitting a suite depends on construction costs. The City could consider charging to permit suites.
  - Enforcement was discussed and it was noted that there was liability on the city's part if it chooses not to enforce bylaws. The Building Inspector informed APC that staff had been given direction not to enforce the bylaws while they are under review.
  - Concern was expressed that tenants would be evicted immediately upon enforcement however the R.C.M.P. indicated that 60 day notice is required under the Landlord Tenant Act.
  - The city does have information regarding secondary suites on it's website.

**Motions:**

1. *That the Advisory Planning Commission recommends that City Council endorse Option 2, and that staff be directed to review challenges and opportunities regarding the inclusion of Zoning Bylaw regulations regarding garden suites and carriage homes.*

**( Washington / Anaka ) CARRIED**

**4. UPDATE:**

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

- Cannabis Cultivation/Processing recommendations received by Council– item is coming back for further discussion next Council meeting
- Departmental Budget Presentations – started in December
- 8th Ave Woodlands Village Rezoning – asking to remove lot consolidation requirement
- Development Permit Application being processed

- 6151 Russell Place – Development Permit being processed
- **Upcoming:**
  - Applications
  - Draft Cannabis Cultivation Bylaw
  - Roles and Responsibilities Refresher

## **5. OTHER BUSINESS**

- The Manager of Planning thanked the outgoing APC members present for their voluntary service on the Commission.
- Amy Anaka addressed the Commission regarding the Age Friendly Plan and survey, a project undertaken by the A.C.R.D. A community workshop will be held on February 6, 2020 at the Gyro Centre.
- The Chair noted that it had been helpful to have the Building Inspector attend the APC meeting and that he was supportive of having the Building Inspector in attendance at all future meetings.

## **6. ADJOURNMENT** – The meeting adjourned at 1:00 p.m. The next regular meeting is rescheduled for **Thursday, January 16, 2020.**

**( McRae / McRuer ) CARRIED**



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Davina Hartwell - City Clerk

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Ken McRae – Chair