
PUBLIC HEARING – AGENDA
Monday, August 8, 2022 @ 6:00 PM
In the City Hall Council Chambers | 4850 Argyle Street, Port Alberni, BC

CALL TO ORDER & APPROVAL OF THE AGENDA

1. Recognition of unceded Traditional Territories.

This Public Hearing is held pursuant to section 464, 465, and 466 of the *Local Government Act*.

Introductory Remarks by the Chair:

2. **Description of the Application** (*To be read by the Corporate Officer*)

Applicant: Hukam Holdings Ltd.

The applicant is applying to amend the Official Community Plan Bylaw and the Zoning Bylaw to facilitate the development of a high-density, multi-family infill development at 4738 Athol Street consisting of a three-storey building which will have 6 apartments and create a Comprehensive Development Zone for the building that will limit the 6 units to rental-only.

The proposed bylaws are:

- i. "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046".

The bylaw if amended, will change the designation of the site from 'Residential' use to 'Multi-Family Residential' prompting the addition of the site to Development Permit Area No. 1 – Multiple Family Residential.

- ii. "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047".

The bylaw if amended, will add the following text and zone description 'CD2 - Comprehensive Development - Multi-Family Residential Infill – 4738 Athol St.'.

- iii. "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048".

The bylaw if amended, will change the zoning classification from 'R2 One and Two Family Residential' to 'CD2 - Comprehensive Development - Multi-Family Residential Infill – 4738 Athol Street'.

3. **Background Information** - Page 3
Report dated June 30, 2022 from the Development Planner.

4. **Correspondence - Page 61**

- Emails dated March 25 and 28, 2022 from V. Baggaley
- Letter dated March 28, 2022 from C. Doman and A. Cullen
- Email dated July 4, 2022 from K. Moore
- Letter dated August 1, 2022 from C. Quach, P. Huynh, K. Huynh and L. Huynh
- Email dated August 3, 2022 from M. Pearson
- Email dated August 3, 2022 from T. Pearson

5. **Late Correspondence Regarding the Matter** *(To be read by the Corporate Officer)*

6. **Questions from Council:**

7. **Chair to Invite Input from the Public:**

For the first time, is there anyone who wishes to speak to the proposed bylaws?

For the second time, is there anyone who wishes to speak to the proposed bylaws?

Before I call for a third and final time, I would like to remind those present that once the Public Hearing has closed, members of Council may not, as a group or as individuals, receive any further oral or written presentations on this matter, including what might be perceived as informal discussions immediately after the termination of this meeting. I ask all parties to comply with this.

For the third and final time, is there anyone who wishes to make any further representation regarding the proposed bylaws as it pertains to 4738 Athol Street.

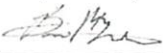
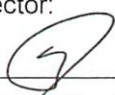
There being no further speakers, I declare this Public Hearing closed.

8. **Termination of the Public Hearing:**

It was moved and seconded:

That this Public Hearing terminate at _____ pm.

Date: June 30, 2022
File No: 3360-20-4738 Athol
To: Mayor & Council
From: T. Pley, CAO
SUBJECT: **DEVELOPMENT APPLICATION – Proposed OCP & Zoning Bylaw Amendments – Multi-Family Residential In-Fill at 4738 Athol Street**
LOT 1, BLOCK 22, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197B (PID: 009-262-962)
Applicant: Kim Rai dba Hukam Holdings Ltd.

Prepared by:  B. McLoughlin Development Planner	Supervisor: M. Wade Marianne Wade Manager of Planning	Director:  S. Smith, Dir. of Development Services Deputy CAO
---	--	---

PURPOSE

The City has received an application requesting amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw 2014, No. 4832 that would enable a high-density, multi-family infill development at 4738 Athol Street. The applicant is proposing to construct a three-storey building with 6 apartments, and to create a Comprehensive Development zone for the building that will limit the units to rental-only.

BACKGROUND

The applicant is requesting to change the permitted land use at 4738 Athol Street from Residential to Multi-Family Residential and to include it in Development Permit Area No.1 (multi-family). The applicant has also requested that a new Comprehensive Development (CD) zone be created to enable the purpose-built rental housing development. The proposed zone description is attached, and includes permitted uses, regulations, and conditions that would be specific to this development.

Status of the Application

The Advisory Planning Commission (APC) reviewed the application for OCP Bylaw Amendment No. 5046 and Zoning Bylaw Amendments No. 5047 and 5048 at the February 17, 2022 APC meeting. Comments from the commission in the attached meeting minutes. The Commission passed a motion to support the proposed bylaw amendments.

At the June 13, 2022 meeting, Council gave 1st and 2nd Reading to the proposed amending bylaws and scheduled a Public Hearing for July 11, 2022. The June 13th staff report is attached.

The Public Hearing was rescheduled to August 8th in response to required statutory notifications not being met. At the July 11th Regular meeting, Council resolved as follows:

THAT Council re-schedule the Public Hearing scheduled for July 11, 2022 for 4738 Athol Street to Monday, August 8, 2022 at 6:00 pm in City Hall, Council Chambers and direct staff to re-issue public notice as required.

CARRIED | Res. No. R22-167

ANALYSIS

The applicant proposes to construct a three-storey apartment building on this property with a total of six rental dwelling units, with a mix of one, two, and three-bedroom apartments. The 2021 *Alberni Valley Housing Needs Assessment* identifies a need for one and three-bedroom units in the community.

The OCP section 4.3 Multi-family Residential (MFR) outlines Council policy for multi-family residential. In section 4.3.4, three specific criteria are listed for Council to consider when re-designating lands to Multi-Family Residential. Staff reviewed the proposed development utilizing these criteria, and are satisfied it aligns with Council policy. A detailed analysis of this policy, including the proposed Comprehensive Development zone and infrastructure requirements, is in the attached *Staff Report to Council* dated June 13, 2022.

IMPLICATIONS

Supporting this application would enable 6 rental dwelling units with a mix of one, two, and three-bedroom rental housing which is identified in the 2021 *Alberni Valley Housing Needs Assessment* as *high need*.

This property is located in a neighbourhood that has mixed land use that include single-family housing. There maybe impacts related to this development concerning traffic, noise, privacy, and building shadows.

Staff considered these possible impacts and worked with the applicant to try to mitigate concerns heard by APC and residents through the design of the site, but they remain common sources of public concern in the development of multi-family housing. Staff support this application because the location of the property at the edge of a core commercial area is ideal for high-density multi-family development, and meets the section 4.3 Council policies of the OCP. It also addresses Council's strategic priority 5.1.2 "*fostering a complete community*" by providing much needed purpose-built rental housing.

COMMUNICATIONS

Following Council's rescheduling of the Public Hearing to August 8th, staff provided notice of the change of date and proceeded with redistributing all required statutory notifications. This included mailed letters to owners and occupants of property within 75 metres as per section 5 of the City's *Development Application Notice Bylaw No. 4614*. Notices were placed in the newspaper as required by sections 465 and 466 of the *Local Government Act* (LGA). As per section 475 of the LGA, the City has also provided an additional opportunity for input by those whose interests may be affected by the development. Owners and occupants of surrounding properties were contacted on March 8, 2022, and feedback received is outlined on page 40 Summary of Pre-engagement.

BYLAWS/PLANS/POLICIES

Summary of Requested Bylaw Amendments

The following list is a summary of amendments to the OCP and Zoning Bylaws that would be required in order to enable the proposed development:

1. Change the designation of 4738 Athol Street from *Residential* to *Multi-Family Residential* on *OCP Bylaw No. 4602 Schedule A - Land Use Map*;
2. Add the property at 4738 Athol Street to *Development Permit Area No.1 Multiple Family Residential* on *OCP Bylaw No. 4602 Schedule B – Development Permit Areas Map*.
3. Update *Zoning Bylaw, 2014 No. 4832 Schedule A Zoning Map* to change the zoning classification of 4738 Athol Street from *R2 One and Two Family Residential* to “*CD2-Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street*”;
4. Add the following text to *Zoning Bylaw, 2014 No. 4832* under Part 5, section 5.1 *Establishment of Zones*: “*CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.*”;
5. Add the attached zone description “*CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.*” to *Zoning Bylaw, 2014 No. 4832* as a new section under *Part 5 Establishment of Zones*.

SUMMARY

Staff consider this proposal to meet the policy guidelines established in section 4.3 of the OCP for Council’s consideration of new Multi-Family Residential lands. Additionally, this application meets Council’s strategic priority 5.1.2 of fostering a complete community through the in-fill of vacant lots that contribute to vibrancy.

Given the need for rental housing in Port Alberni, staff support this application as it meets OCP policy, and addresses the need for rental units identified by the *Alberni Valley Housing Needs Assessment*.

Respectfully submitted,



Brian McLoughlin, MCP
Development Planner

ATTACHMENTS:

- *Staff Report to Council, June 13, 2022 – 4738 Athol Street*
- *Advisory Planning Commission Minutes dated February 17, 2022*
- *Pre-Engagement Feedback Summary and Letter*
- *Engineering Servicing Report*
- *Development Concept Plans*
- *Notice of Public Hearing | August 8, 2022*
- *Draft Bylaws No.’s 5046, 5047, 5048*

C: to T. Slonski, Director of Corporate Services

J:\Engineering\Planning\Development Applications\Zoning\Amend\ZON-2021\ZON2021-08-4738-AtholSt-Rel\Council\ZON21-08 - 4738-AtholSt-Rai - Public Hearing Memo.docx

CITY OF PORT ALBERNI

BYLAW NO. 5046

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN
FOR THE CITY OF PORT ALBERNI

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as "**Official Community Plan Amendment No. 37 (4738 Athol Street – Rai), Bylaw No. 5046**".

Respecting Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B (PID: 009-262-962) located at **4738 Athol Street** and shown outlined in bold on Schedule "A" attached hereto and forming part of this bylaw, the following amendments apply:

2. Official Community Plan Amendments

- 2.1 **Schedule A (Land Use Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended to change the designation on the properties from 'Residential' use to '**Multi-Family Residential**' use.
- 2.2 **Schedule B (Development Permit Areas Map)** that forms an integral part of Official Community Plan Bylaw, No. 4602 is hereby amended by including the property in '**Development Permit Area No. 1 (Multiple Family Residential)**'.

READ A FIRST TIME THIS 13TH DAY OF JUNE, 2022.

READ A SECOND TIME THIS 13TH DAY OF JUNE, 2022.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2022.

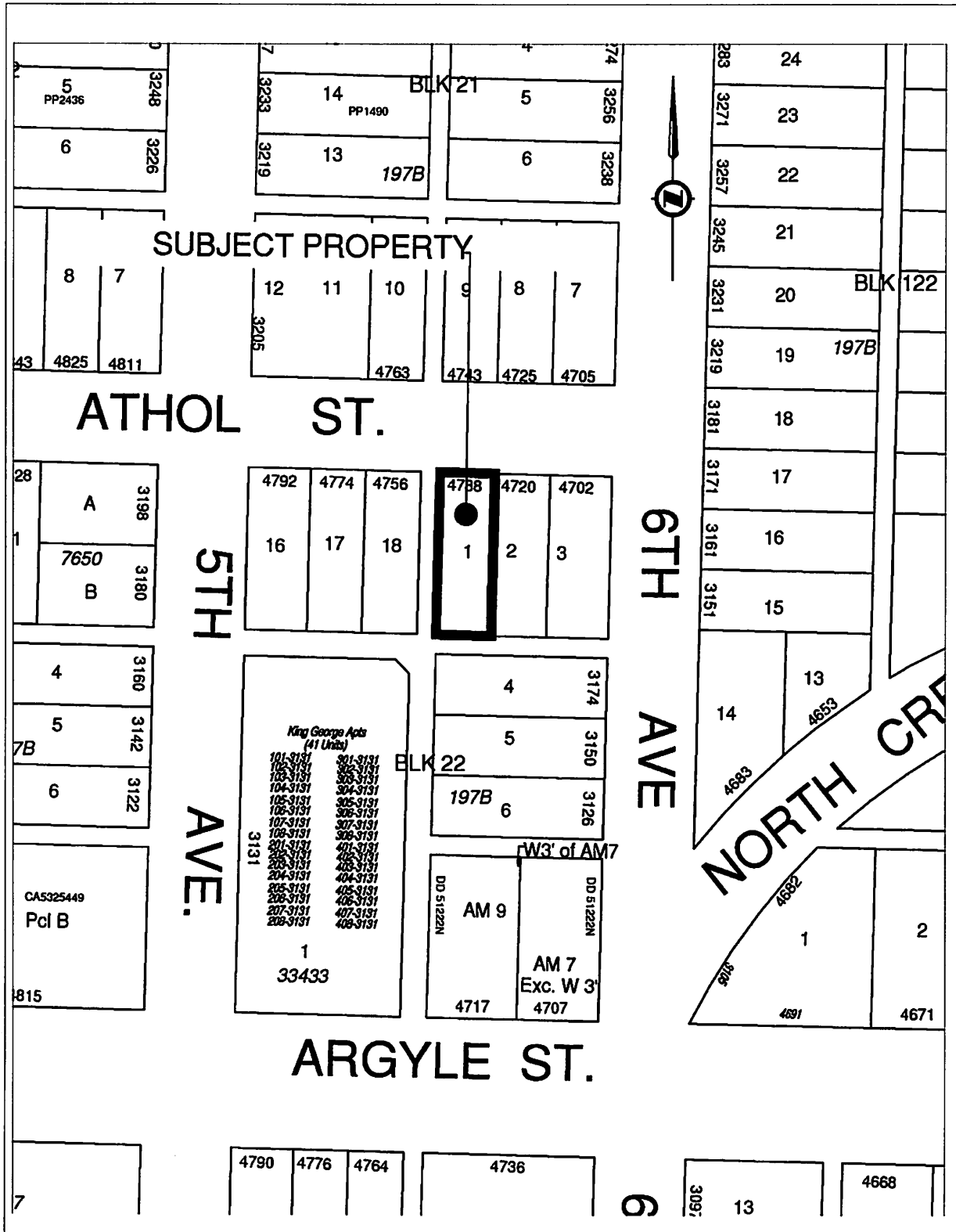
READ A THIRD TIME THIS DAY OF , 2022.

ADOPTED THIS DAY OF , 2022.

Mayor

Corporate Officer

Schedule "A" to Bylaw 5046



4738-AtholSt-Rai-OCPAmend37Bylaw5046

CITY OF PORT ALBERNI

BYLAW NO. 5047

A BYLAW TO AMEND PORT ALBERNI ZONING BYLAW 2014, NO. 4832

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as **"Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047"**.

2. Zoning Text Amendments

2.1 Adding the following text to Establishment of Zones Section 5.1:

"CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St."

2.3 Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended by adding the following text under Section 8 Comprehensive Development Zones:

"8.2

CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4738 Athol Street

The purpose of this zone is to provide for rental-oriented multi-family in-fill development in the Uptown neighbourhood at 4738 Athol Street.

8.2.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

Minimum Lot Area

443 m² (4,768 ft²)

Minimum Frontage

12 m (39.4 ft)

Maximum Coverage

58%

Minimum Setbacks:

Front yard

3.5 m (11.5 ft)

Rear yard

5.0 m (16.4 ft)

Side yard

1.5 m (4.9 ft)

Maximum Floor Area Ratio

1.34

Maximum Height, Principal Building

13.7 m (45.9 ft)

Maximum Number of Principal Building Storeys

3

8.2.3 Conditions of Use

- (a) Occupancy of dwelling units is restricted to Residential Rental Tenure.
- (b) Notwithstanding any other provision of the Bylaw, on-site parking shall be provided at a rate of one (1) space per dwelling unit.
- (c) Notwithstanding any other provision of the Bylaw, up to two (2) parking spaces may be Small Car parking spaces.
- (d) Notwithstanding any other provision of the Bylaw, the amount of useable open space required shall be 169 m2.
- (e) Notwithstanding any other provision of the Bylaw, the amount of useable open space required may consist exclusively of roof garden areas, private balconies, and private patios.
- (f) Permanent roof top structures are not permitted except where required for access.
- (g) Home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location."

READ A FIRST TIME THIS 13TH DAY OF JUNE, 2022.

READ A SECOND TIME THIS 13TH DAY OF JUNE, 2022.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2022.

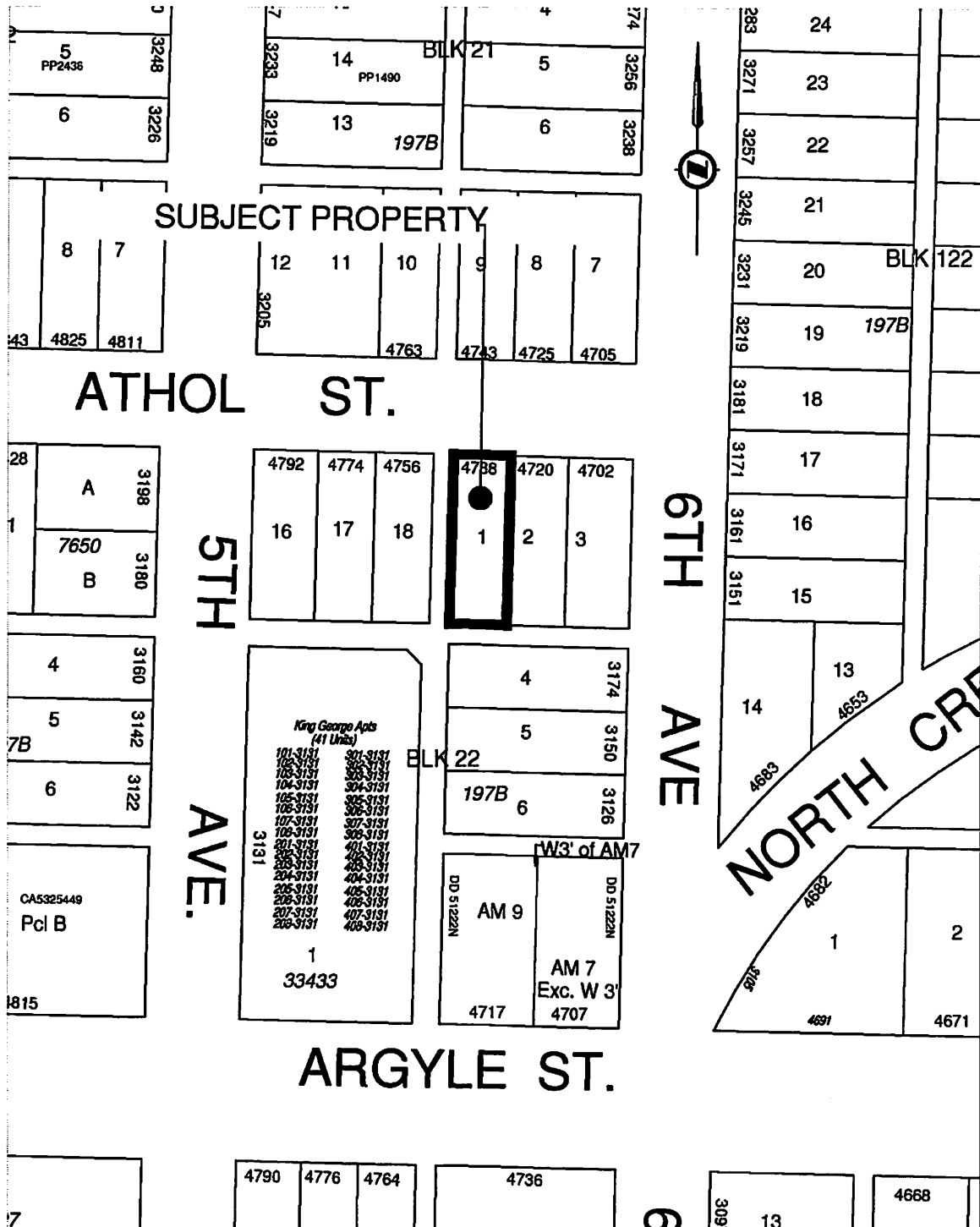
READ A THIRD TIME THIS DAY OF , 2022.

ADOPTED THIS DAY OF , 2022.

Mayor

Corporate Officer

Schedule "A" to Bylaw No. 5047



4738-AtholSt-Rai-ZonTextAmendBylaw

CITY OF PORT ALBERNI

BYLAW NO. 5048

A BYLAW TO AMEND PORT ALBERNI ZONING BYLAW 2014, NO. 4832

The Municipal Council of the City of Port Alberni in Open Meeting Assembled Enacts as follows:

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Map Amendment No. 48 (4738 Athol Street – Rai), Bylaw No. 5048**".

2. Zoning Amendment

The property legally described as Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B (PID: 009-262-962), and located at **4738 Athol Street**, as shown outlined in heavy black line on Schedule A attached hereto and forming part of this bylaw, is hereby rezoned from 'R2 One and Two Family Residential' to the '**CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street**' zone.

3. Map Amendments

Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

READ A FIRST TIME THIS 13TH DAY OF JUNE, 2022.

READ A SECOND TIME THIS 13TH DAY OF JUNE, 2022.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2022.

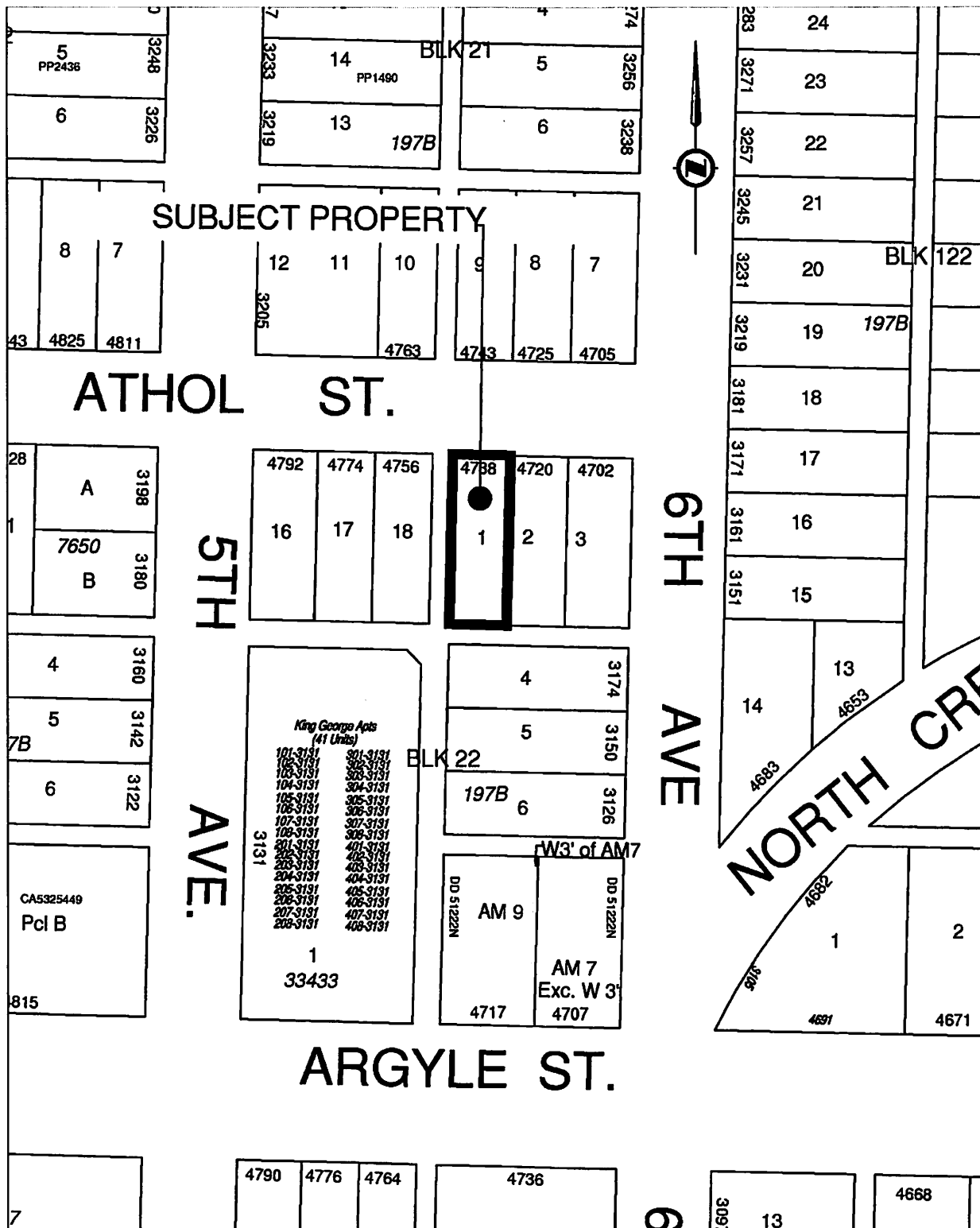
READ A THIRD TIME THIS DAY OF , 2022.

ADOPTED THIS DAY OF , 2022.

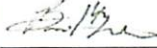
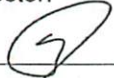
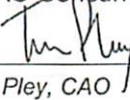
Mayor

Corporate Officer

Schedule "A" to Bylaw No. 5048



Date: May 25, 2022
File No: 3360-20-4738 Athol
To: Mayor & Council
From: T. Pley, CAO
SUBJECT: DEVELOPMENT APPLICATION – Proposed OCP & Zoning Bylaw Amendments – Multi-Family Residential In-Fill at 4738 Athol Street
LOT 1, BLOCK 22, DISTRICT LOT 1, ALBERNI DISTRICT, PLAN 197B (PID: 009-262-962)
Applicant: Kim Rai dba Hukam Holdings Ltd.

Prepared by:  B. McLoughlin Development Planner	Supervisor: M. Wade Marianne Wade Manager of Planning	Director:  S. Smith, Dir. of Development Services Deputy CAO	CAO Concurrence:  T. Pley, CAO
---	--	--	---

RECOMMENDATION

- THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be now introduced and read a first time.
- THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be now introduced and read a first time.
- THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be now introduced and read a first time.
- THAT "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046" be read a second time.
- THAT "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047" be read a second time.
- THAT "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048" be read a second time.
- THAT appropriate consultation as required for an Official Community Plan amendment has been undertaken in accordance with section 475 of the Local Government Act.
- THAT the proposed amending bylaws for 4738 Athol Street and numbered 5046, 5047 and 5048, be advanced to a Public Hearing on Monday July 11, 2022 at 6:00 pm in City Hall, Council Chambers.

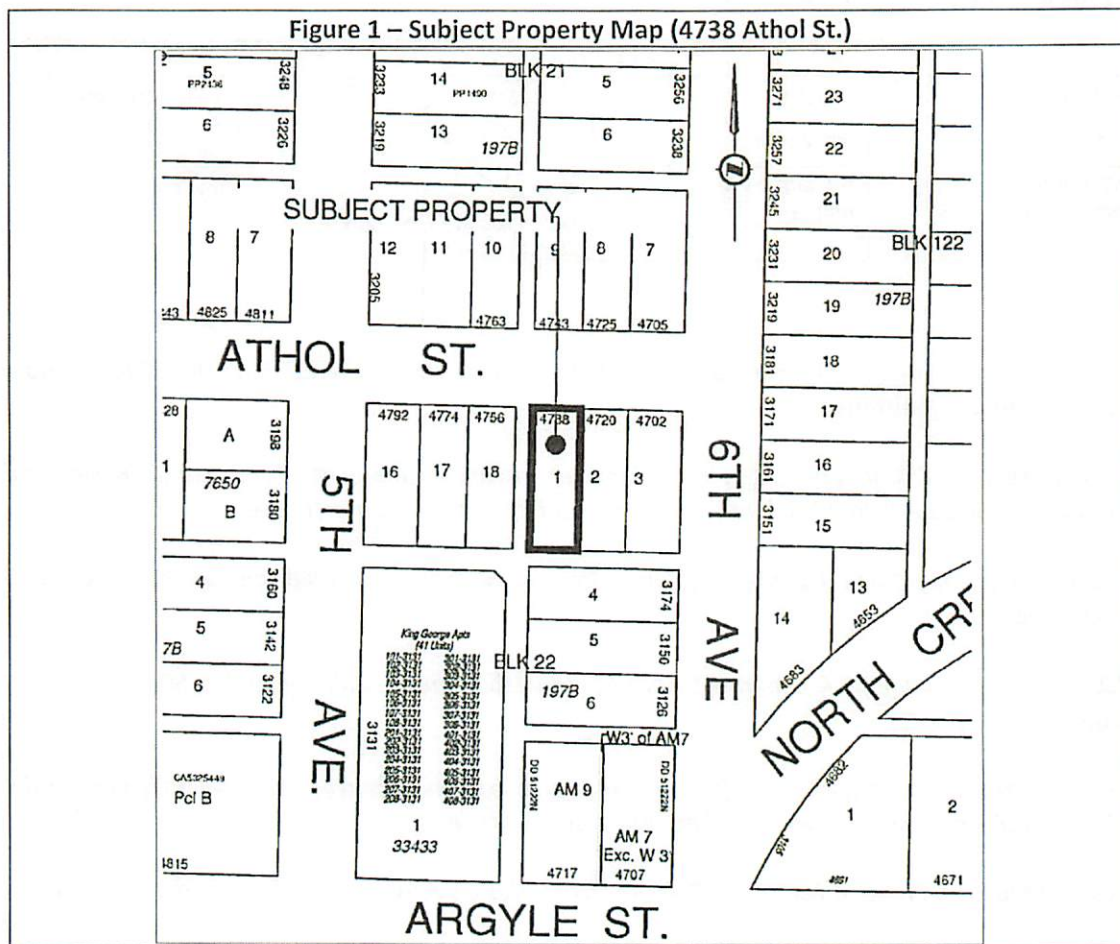
ENTERED
G2

PURPOSE

The City has received an application requesting amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw 2014, No. 4832 that would enable a high-density, multi-family infill development at 4738 Athol Street. The applicant is proposing to construct a three-storey building which will have 6 apartments and to create a Comprehensive Development Zone for the building that will limit the 6 units to rental-only.

BACKGROUND

Subject Property Map



Status of the Application

The Advisory Planning Commission (APC) reviewed the application for OCP Bylaw Amendment No. 5046 and Zoning Bylaw Amendments No. 5047 and 5048 at the February 18, 2022 APC meeting. Summary meeting minutes are attached to this report. The Commission supported the proposed development and bylaw amendments. The APC discussed a number of issues related to the proposal including accessibility, building height, and the use of the rooftop as useable open space.

The APC expressed concern that the building did not have an elevator, and that the ground floor dwelling unit did not have a level-entry. The applicant responded to the APC's concerns to include a level entry for the ground floor dwelling unit in their updated plans.

Existing and Proposed Land Use

The applicant is requesting amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw No. 4832 to change the permitted land use at 4738 Athol Street from *Residential* to *Multi-Family Residential* and to have it included in development permit area No.1 (multi-family). The proposed change in land use is shown in Table 1.

Table 1 – Existing and Proposed Land Use at 4738 Athol Street		
	Existing Land Use	Proposed Land Use
<i>Official Community Plan (Bylaw No. 4602)</i>	Residential	Multi-Family Residential
<i>Zoning Bylaw No. 4832</i>	R2 – One and Two Family Residential	CD2 – Comprehensive Development - Multi-Family Residential Infill - 4738 Athol Street

The applicant is also requesting that a new Comprehensive Development (CD) zone be created to enable the purpose-built rental housing development. This would be accomplished through a combination of map and text amendments to the *Official Community Plan Bylaw No. 4602* and *Zoning Bylaw No. 4832*. The proposed zone description is attached to this report, and includes permitted uses, regulations, and conditions that would be specific to this development.

Official Community Plan (OCP) Policy

The OCP sets the policy direction for the City regarding the designation and regulation of multi-family residential lands, including where the City should consider additional density. This application proposes to change the OCP land use designation of 4738 Athol Street from *Residential* to *Multi-Family Residential* which will enable this form of development on the property, the existing OCP policy statements related to Multi-Family land use in Port Alberni are attached to this report.

Comprehensive Development Zones

Comprehensive Development (CD) zones are typically one-off zones created to enable development according to a specific site plan in a specific location. CD zones are usually created when a proposed development cannot easily comply with a local government's existing zones. Creating a new CD zone allows the City, and the owner, to engage in creative negotiation to form a feasible plan for development that also meets the goals of the community. Most importantly, CD zones allow greater flexibility in the design so a development can be shaped to fit its context. In this case, the creation of a CD zone is an option for meeting the community's need for multi-family rental housing on where it would otherwise not be permitted due to the dimensions of the lot and limits of existing zone.

New CD Zone vs Rezoning with Variances

A new CD zone provides the developer more flexibility in their design, and allows the City to streamline the application review, while undertaking the same rigorous public process. The alternative would be to rezone the properties for high-density multi-family residential, and follow this with a multitude of variances at the Development Permit stage. This process would be administratively complex, and limits both the City and the developer's ability to achieve a positive outcome for the community. However, the Official Community Plan provides no guidance to City Council on when or where a new CD zone should be supported.

Alberni Valley Housing Needs Assessment – Final Report (2021)

The *Alberni Valley Housing Needs Assessment* was completed by the City in February 2021. The list below summarizes the findings of the report as relates to the provision of multi-family housing in Port Alberni:

- Primary rental vacancy rates reached a low of 0.7% in October 2018 but increased to 3% in October 2020.
- The low vacancy rate means that many people are forced to choose housing options that are expensive, inadequate, and/or unsuitable.
- In Port Alberni, most primary rental units have either only one or two bedrooms, which often does not meet the needs of young families.
- There is a shortage of both smaller units such as bachelor and 1-bedroom, and those with 3+ bedrooms.
- The demand for affordable housing is increasing in Port Alberni, with an increasing number of renters spending more than 30% of their income on shelter costs.
- The average household is two people in Port Alberni, and the number of households containing only one or two people has steadily increased in Port Alberni.
- Between 2021 and 2025 a total of 194 units of housing will need to be added to the community in order to keep up with projected demand. However, this estimate is based on data from the 2016 federal census meaning it may not reflect current conditions in the community.

Residential Rental Housing and the *Local Government Act*

Section 481.1 of the BC *Local Government Act* gives the Council the authority to designate lands for multi-family rental housing in the Zoning Bylaw. This power was enacted by the Province in July 2018, and was subsequently upheld in a ruling by the BC Supreme Court in March 2019. This new zoning power means municipalities have the ability to plan for the creation and retention of rental housing in their communities, which is important in addressing the housing crisis and meeting the goals of the *Alberni Valley Housing Needs Assessment* (2021).

ALTERNATIVES/OPTIONS

The Development Services department supports Option #1.

1. Proceed with 1st and 2nd Readings of:
 - "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046"
 - "Zoning Text Amendment No. T31 (4738 Athol Street - Rai), Bylaw No. 5047"
 - "Zoning Map Amendment No.48 (4738 Athol Street - Rai), Bylaw No. 5048"

And advance to a Public Hearing on Monday, July 11, 2022 at 6:00 pm in City Hall, Council Chambers.

2. Do not proceed with the proposed bylaw amendments.
3. Provide alternative direction.

ANALYSIS

The following section contains an analysis of the OCP and Zoning Bylaw amendments proposed by the applicant. If the application proceeds, technical engineering details including servicing and off-site works will be resolved. If the amending bylaws are adopted by Council, the applicant would still require a Development Permit. At this time staff would conduct additional review.

Development Concept at 4738 Athol Street

The subject property is approximately 0.11 acres with frontage on Athol Street, and laneways to the side and rear. The applicant is proposing to construct a three-storey apartment building on this property for a total of six dwelling units, with a mix of one, two, and three-bedroom apartments. The *Alberni Valley Housing Needs Assessment* (2021) identifies a need for one and three-bedroom units in the community. One-bedroom apartments are considered to be more affordable option for renters in that rates are typically at the lower end of the market, while the two and three-bedroom units are more suited to families. *Table 2* identifies the mix of unit types in the proposed building.

Table 2 – Proposed Dwelling Units in Development Concept	
Unit Type	Number of Units
1-Bedroom	2
2-Bedroom	2
2-Bedroom + Den	1
3 Bedroom	1
Total Units	6

The design of the development benefits from its location at laneway intersection. Lanes on two sides are favourable for in-fill development because it improves site access, expands options for utility servicing and garbage removal.

Surrounding Area and Land Use

The subject property is located on Athol Street between 5th Avenue and 6th Avenue, one block north of Argyle Street. Directly to the south is the Uptown Commercial area with residential lands to the east, west, and north. Several multifamily properties, including apartment buildings are located in the vicinity along Argyle Street, Athol Street, and directly south of the property on 5th Avenue.

OCP Guidelines for Designation of lands as Multi-Family Residential

The OCP section 4.3 Multi-family Residential (MFR) outlines Council policy for multi-family residential. In section 4.3.4 three specific criteria are listed for Council to consider when re-designating lands to *Multi-Family Residential*. Staff have reviewed the proposed development utilizing the three criteria, and outlined how the proposed development aligns with Council Policy.

1. *Should be within walking distance (approximately 800 metres) of commercial, recreational, public/institutional nodes, or community scale parks;*

The subject property is located within the Port Alberni *Active Transportation Plan*, a 5-minute “commercial walkshed” of the uptown commercial area. It is good planning practice to encourage multi-family development on the edges of commercial areas to provide residents with access to services and amenities. This reduces automobile trips and increases walkability. See the attached *Walkability Map* for estimated walking times to nearby parks, recreation, and commercial areas. Additionally, *Table 3* contains a breakdown of estimated distances via nearest street and estimated walk times. The proposed development meets these criteria with services, parks, etc. being less than 800 metres from the subject property.

Table 3 - Distance to Services, Parks, and Amenities		
To Commercial Areas / Services	Distance	Approx. walking time
Uptown commercial area (at 4 th Ave.)	250 m	3 min.
10 th Ave & China Creek Rd. neighbourhood commercial area (Quality Foods)	730 m	9 min.
Harbour Quay (via Athol St.)	780 m	10 min.
To Recreation and Parks		
Dry Creek Park / Trails	485 m	6 min.
Gyro Recreation Park	237 m	3 min.

2. *Should be located on or in proximity to major collectors or arterial roads in order reduce traffic impacts on local roads;*

The subject property is located within close proximity to major collector roads and arterial roadways as shown in *Table 4* Proximity to major roadways is a matter of access to the transportation network. Increased access means less traffic congestion, and less wear and tear on smaller roads which may not be designed for a heavy volume of vehicles. While Athol Street is a local road, it is a short distance to Argyle Street, 3rd Avenue, and 4th Avenue which are major collectors and arterials. The proposed development is in proximity to major and arterial roadways, meeting these criteria.

Table 4 – Access to Transportation Network	
Distance to Argyle Street (arterial road)	130 m
Distance to 3 rd Avenue (arterial road)	250 m
Distance to 4 th Avenue (major collector)	151 m
Distance to 10 th Avenue (arterial road)	580 m

3. *An adequate transition between lower density housing, and compatibility with adjacent land uses must be provided;*

At the neighbourhood level, the proposed change in OCP land use from *Residential* to *Multi-Family Residential* is compatible with adjacent land uses:

- Lands to the west are designated Residential, Multifamily Residential, and Commercial
- Lands to the east are designated Residential
- Lands to the north are designated Residential
- Lands to the south are designated Residential, Multifamily Residential and Commercial

The subject property is located on the boundary of the uptown commercial area where multiple land uses interface, which makes it a suitable location for multi-family development including single-family homes with suites, multi-family apartments, and commercial businesses.

The four-storey King George apartments are located approximately 20 metres south east of the property at 3131 5th Avenue, and the four-storey Downtown Manor apartments are located 160 metres west at 4916 Athol Street. The proposed *Multi-Family* land use is characteristic of the area.

The residential uses on neighbouring properties to the west and the east, although designated residential, have more than one dwelling unit contained within them according to City records. The buildings are large in size, with a comparable height to the proposed building as shown in *Figure 2*. The transition from the existing two-family land use to six dwelling units is an adequate transition and meets this criterion.

Additionally, the three criteria outlined in section 4.3.4 of OCP policy, Part D section 4.0 recognizes that multi-family development will typically occur “*within or adjacent to established single-family residential neighbourhoods*” (p. 35). The proposed use on these lands meets this policy.

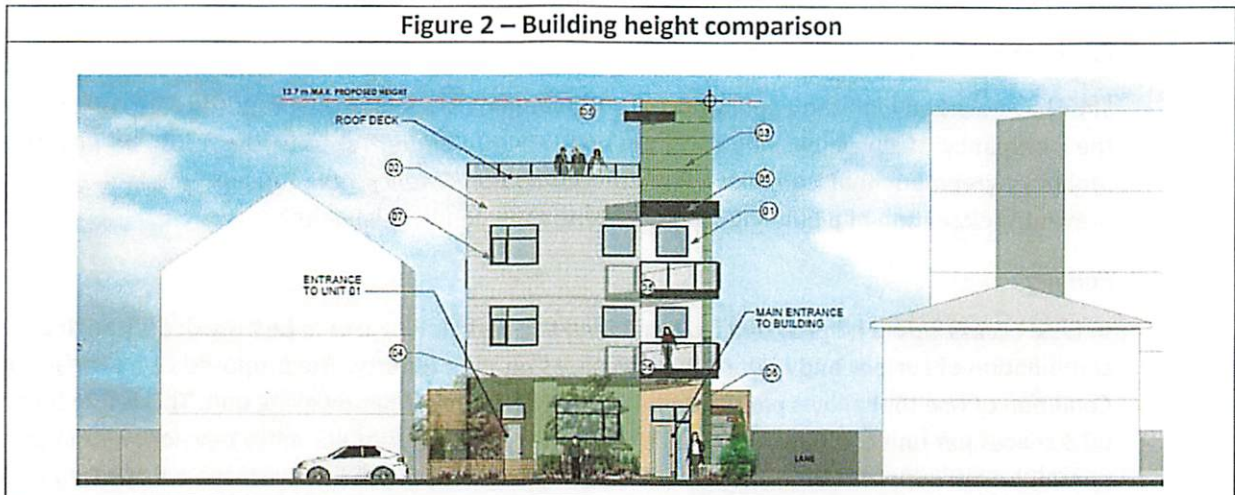
Proposed Comprehensive Development Zone (CD2)

The following table shows how the proposed CD2 zone compares with existing residential zones in the Zoning Bylaw. The RM3 zone is currently the highest density zone for residential development in Port Alberni. The CD2 zone would permit a denser form of development than permitted in the RM3 zone. This is not unusual for multifamily in-fill development since the intent is to add more dwelling units to an existing lot within an established neighbourhood. The density by Floor Area Ratio would be 1.34, which is greater than the 1.2 permitted by the RM3 zone. Accordingly, the proposed zone would also permit greater lot coverage, and reduced front, side, and rear yard setbacks. See notes below:

- “Coverage” in the Zoning Bylaw is defined at the first storey meaning the proposed 58% lot coverage does not include the portion of the building that overhangs two parking spaces to the rear of the site.
- Reduced side yard setback on the east property line (1.5 metres) is less than other multi-family zones; however, the architect has ensured the design meets all building/fire code regulations.

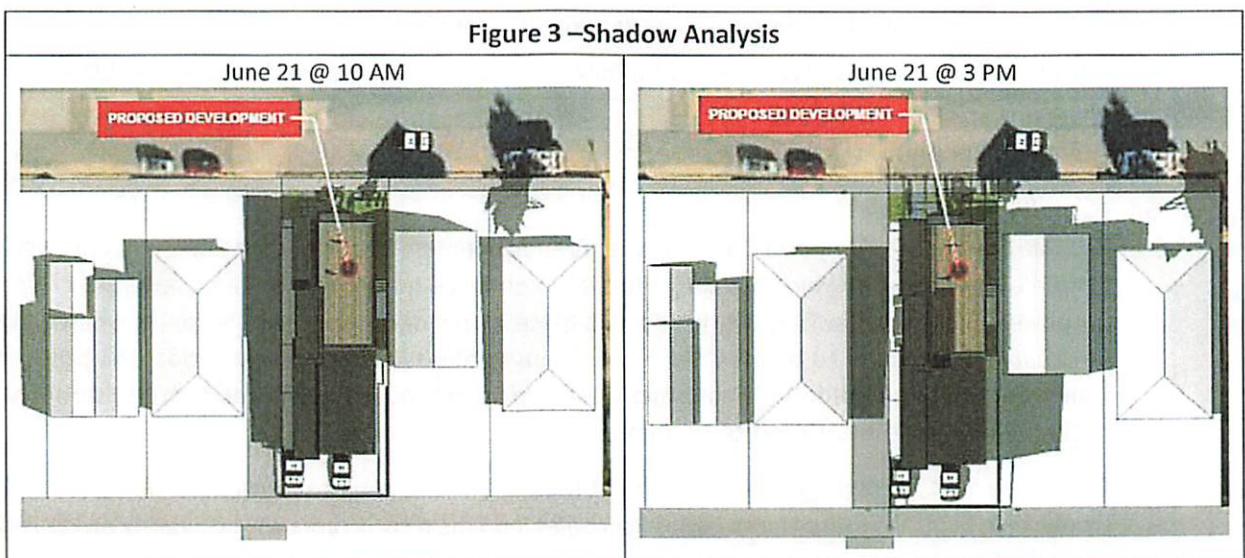
Table 5 – Comparison of Site Development Regulations for Existing Zones							
<i>Site Development Regulations</i>	R1	R2	R3	RM1	RM2	RM3	Proposed CD2
<i>Minimum Lot area</i>	600 m ²	500 m ²	350 m ²	500 m ²	840 m ²	1,120 m ²	443 m ²
<i>Minimum Frontage</i>	15 m	15 m	10 m	30 m (+4 units)	25 m	30 m	12 m
<i>Maximum Coverage</i>	40%	50%	50%	40%	50 %	50%	58%
<i>Front yard</i>	7.5 m	7.5 m	5.0 m	7.5 m	6.0 m	6.0 m	3.5 m
<i>Rear yard</i>	9.0 m	9.0 m	5.5 m	9.0 m	9.0 m	9.0 m	5.0 m
<i>Side yard</i>	1.5 m	1.5 m	1.5 m	1.5 m	5.0 m	5.0 m	1.5 m
<i>Maximum Floor Area Ratio</i>	0.5	0.5	0.5	0.5	0.8	1.2	1.34
<i>Maximum Height, Principal Building</i>	10 m	10 m	10 m	10 m	12.5 m	14 m	13.7 m (to stairwell)
<i>Maximum Number of Principal Building Storeys</i>	2	2.5	2.5	2.5	3	4	3
<i>Maximum Number of Dwelling Units per lot</i>	2	2	-	-	-	-	6

The applicant has also provided conceptual images to illustrate how the proposed development would appear next to neighbouring properties. The height of the building to the roofline would be 11 metres, though the maximum height would be 13.7 metres to account for the roof access stairwell structure. The height is in keeping with the surrounding existing buildings.



Shadow analysis

Shadow analysis provided by the applicant shows that during winter solstice the longest shadows will be cast to the north and northwest across Athol Street resulting in minimal shadow impact to surrounding properties. However, during summer solstice the property at 4720 Athol Street would be partially impacted by shadows cast into the rear yard during mid to late afternoon as shown in Figure 3. Residents will still have full sun in the morning but partial access to direct sunlight in the late afternoon.



Conditions of Use - CD2 Zone

Conditions of Use are requirements that must be met in order to develop or use land in a particular zone. Generally, the *Conditions of Use* of the proposed CD2 zone have been written to grant the developer more flexibility with their site design and to restrict permitted uses.

1. *Residential Rental Tenure*

Staff have worked with the applicant to draft *Conditions of Use* for the proposed CD2 zone which limits the occupancy of dwelling units to *Residential Rental Tenure*. All tenancies must be governed by a tenancy agreement that complies with the *Residential Tenancy Act*. The zoning regulations will also prevent the creation of a building strata, and the sale of individual units.

2. *Parking*

Vehicle access would be provided from the laneway and parking would be provided through a combination of surface and under-building spaces on the property. The proposed CD2 zone includes a *Condition of Use* that allows parking to be provided at 1 space per dwelling unit. This is a reduction of 0.25 spaces per unit compared to what is currently required for multi-family development (1.25 spaces per unit). Staff support this reduction because it ensures that each unit will have a dedicated parking space. Visitors will be required to park on the street. As part of the engineering requirements, the applicant will be required to improve the road/sidewalk in a way that ensures this parking is safe and useable.

Table 6 contains a breakdown of parking requirements for residential dwelling types in the Zoning Bylaw. Additionally, the CD2 zone contains a *Condition of Use* allowing two of the required on-site parking spaces to be provided at the dimensions specified in the Zoning Bylaw for small cars.

Table 6 – Comparison of Parking Requirements in Zoning Bylaw					
Dwelling Type	Suites	Multi-family	Single family	Two family	CD2
Parking Spaces Required per unit	1	1.25	2	4	1

3. *Useable Open Space*

Useable open space is important for multi-family development because it provides residents with access to safe outdoor space, which has the potential to enhance quality of life. The *Conditions of Use* in the proposed CD2 zone allow flexibility in how this space is provided. Currently, the Zoning Bylaw allows 50% of *Useable Open Space* to be provided by roof tops gardens, balconies, and patios. The proposed CD2 zone would increase this to 100%, and allow *Useable Open Space* to be provided entirely through private decks, patios, and the large rooftop common area.

This allowance is necessary due to the size of the lot, and the need to provide parking on-site. All units would have access to one or more patios/balconies, and the rooftop area will be available to all residents. In total, 169 m2 of outdoor private and common space would be provided which exceeds the amount of *Useable Open Space* normally required by the Zoning bylaw.

Engineering Servicing Report

Infrastructure upgrades would be required to properly service the proposed development at 4738 Athol Street. These requirements are detailed in the attached *Engineering Servicing Report*. Key considerations are the capacity of the underground sewer on Athol Street, improvements to the storm drain main and service connection, management of site drainage, and hard-surfacing of the laneway. Improvements to the site frontage and off-site requirements will be outlined in the works and services agreement by the City's Engineering department.

Based on the *Engineering Servicing Report*, the following items will be required from the applicant prior to Final Adoption of the amending bylaws:

- Design of required off-site works with associated cost estimate
- Storm water management plan
- Geotechnical report
- Site grading plan

REFERRALS

Staff's review of OCP and Zoning Bylaw amendments include referral to other agencies. The following table summarizes feedback received for this development application.

AGENCY/DEPARTMENT	COMMENTS
TSESHAHT FIRST NATION	<i>Tseshaht has no objections at this time to the work proposed.</i>
RCMP	<i>No Policing issues with the application.</i>
CPA PARKS, RECREATION, HERITAGE	<i>Interests unaffected.</i>
CPA ENGINEERING DEPARTMENT	<i>See attached Engineering Servicing Report.</i>
VIHA	<i>There are no concerns with the approval of this rezoning application given the properties will be connecting to the municipal drinking water system and sewer system.</i>
CANADA POST	<i>If approved, to avoid delay and ensure delivery can be provided we request the developer contact us in advance to confirm mail delivery requirements. A developer supplied lock box to current standards and building access will be required.</i>

IMPLICATIONS

At this stage of the application process, Council should consider the appropriateness of the proposal including its location, potential neighbourhood impacts, and potential benefit to the community. This application will create 6 units of one, two, and three-bedroom rental housing that is in high demand according to the 2021 *Alberni Valley Housing Needs Assessment*.

This property is located in a neighbourhood that includes single-family housing, and there may be impacts related to this development including increased traffic, noise, decreased privacy, and building shadows. Staff consider these to be mitigated by the location of the property and the design of the site, but they remain common sources of public concern in the development of multi-family housing.

Staff support this application because the location of the property at the edge of a core commercial area is ideal for high-density multi-family development. This project will also provide much needed purpose-built rental housing.

COMMUNICATIONS

As per section 475 of the *Local Government Act* (LGA), the City has provided an additional opportunity for input by those whose interests may be affected by the development – specifically, owners and occupants of surrounding properties. This is required for all amendments to an Official Community Plan. This pre-engagement was conducted from March 8, 2022 to March 28, 2022. Further details are provided below:

In December of 2021, the applicant invited neighbouring residents to an informal meeting to discuss the proposed development. This was intended to meet the LGA requirement, and was conducted at the direction of City staff. This meeting had no attendees and staff have heard from residents that this was likely due to the pandemic, snowy weather, and a lack of information provided. The applicant also submitted a summary of their one-on-one conversations with neighbours that was included in the February 10, 2022 staff report to the Advisory Planning Commission. The residents have since informed staff that that they feel the summary provided by the applicant does not accurately represent their concerns.

In consideration of the above, along with feedback from the Advisory Planning Commission, staff determined that additional engagement was required to meet the City's obligation under section 475 of the LGA.

On March 8, 2022, staff mailed letters to all owners and occupants of property within 75 metres of 4738 Athol Street as per *Development Application Notice Bylaw No. 4614*. The letter contained information and images regarding the proposed OCP amendment and development plans. Recipients were invited to provide feedback by March 28, 2022. A total of 90 letters were mailed, and 15 responses were received. Respondents included residents both inside and outside the 75-metre mailing area.

In general, concern was expressed regarding:

- Density of development
- Building height (shadows, loss of privacy)
- Increased vehicle traffic
- Potential changes to the character of the neighbourhood

A summary of comments is attached to this report. If the application proceeds further through the process, a full Public Hearing will be held, and all required statutory notices will be provided.

BYLAWS/PLANS/POLICIES

The applicant is requesting amendments to the Official Community Plan (OCP) and Zoning Bylaws to enable a multifamily development. This includes the creation of a new Comprehensive Development (CD) zone. The proposed zone description is attached to this report, and includes permitted uses, site development regulations, and conditions of use that are specific to this development.

Summary of Requested Bylaw Amendments

The following list is a summary of amendments to the OCP and Zoning Bylaws that would be required in order to enable the proposed development:

1. Change the designation of 4738 Athol Street from *Residential* to *Multi-Family Residential* on OCP Bylaw No. 4602 Schedule A - Land Use Map;
2. Add the property at 4738 Athol Street to *Development Permit Area No.1 Multiple Family Residential* on OCP Bylaw No. 4602 Schedule B – Development Permit Areas Map.
3. Update *Zoning Bylaw, 2014 No. 4832 Schedule A Zoning Map* to change the zoning classification of 4738 Athol Street from *R2 One and Two Family Residential* to “CD2-Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street”;
4. Add the following text to *Zoning Bylaw, 2014 No. 4832* under Part 5, section 5.1 *Establishment of Zones*: “CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.”;
5. Add the attached zone description “CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.” to *Zoning Bylaw, 2014 No. 4832* as a new section under *Part 5 Establishment of Zones*.

SUMMARY

The applicant is requesting amendments to the OCP and Zoning Bylaw that would enable the construction of an apartment building and create six rental dwelling units of mix bedroom type. This would involve the creation of a Comprehensive Development (CD) zone that would apply to only 4738 Athol Street.

Staff consider this proposal to meet the policy guidelines established in section 4.3 of the OCP for Council’s consideration of new Multi-Family Residential lands. In addition, this application also meets Council’s strategic priority 5.1.2 of fostering a complete community through the in-fill of vacant lots that contribute to vibrancy.

Through the use of a CD zone, the proposed development has been designed to best utilize the site for multi-family dwellings, while considering its context on a residential street near a commercial area. Given the need

for housing in Port Alberni, staff support this application as it meets OCP policy, and addresses the need for rental housing identified by the *Alberni Valley Housing Needs Assessment*.

Respectfully submitted,



Brian McLoughlin, MCP
Development Planner

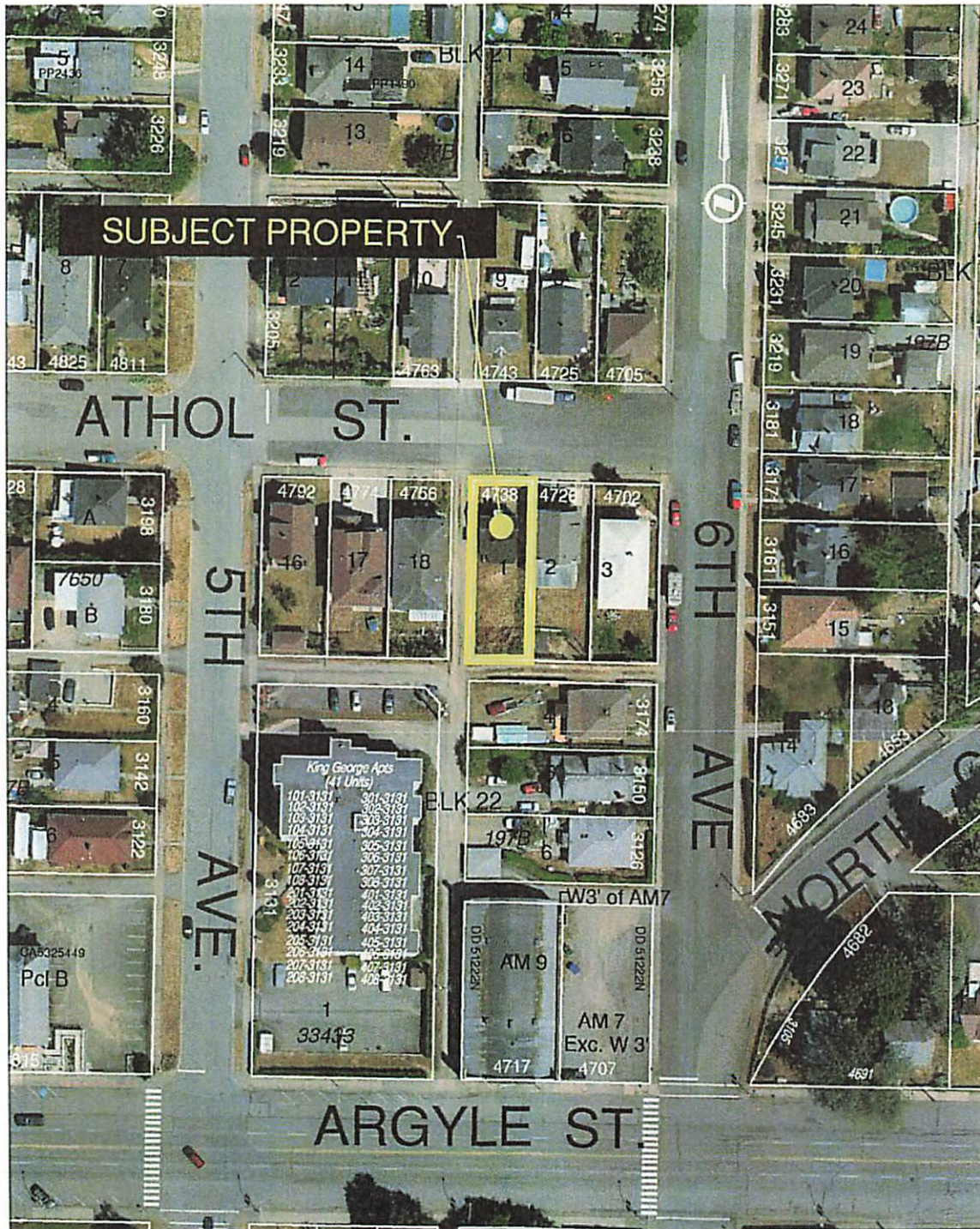
ATTACHMENTS:

- Subject Property Map
- Current OCP Land Use Designation
- Current Zoning Designation
- Proposed New Zone Description
- Walkability Map
- OCP Policy for Re-designation of Multi-Family Residential Lands
- Advisory Planning Commission Minutes dated February 18, 2022
- Pre-Engagement Letter and Feedback Summary
- Engineering Servicing Report
- Development Concept Plans

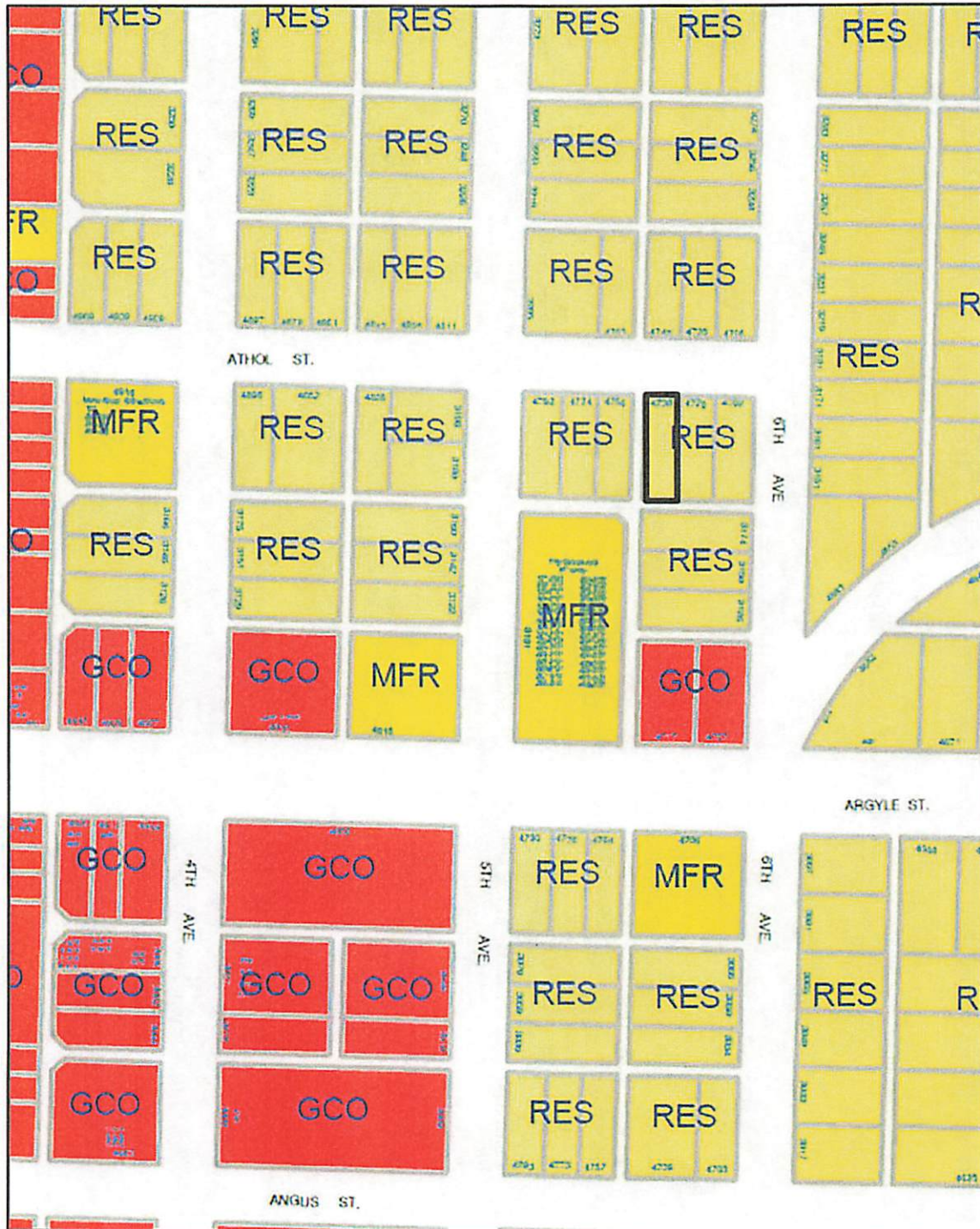
C: to T. Slonski, Director of Corporate Services

J:\Engineering\Planning\Development Applications\ZoningAmend\ZON-2021\ZON2021-08-4738-AtholSt-RailCouncil\ZON21-08 - 4738-AtholSt-Rai - Council Memo
1st_2nd.docx

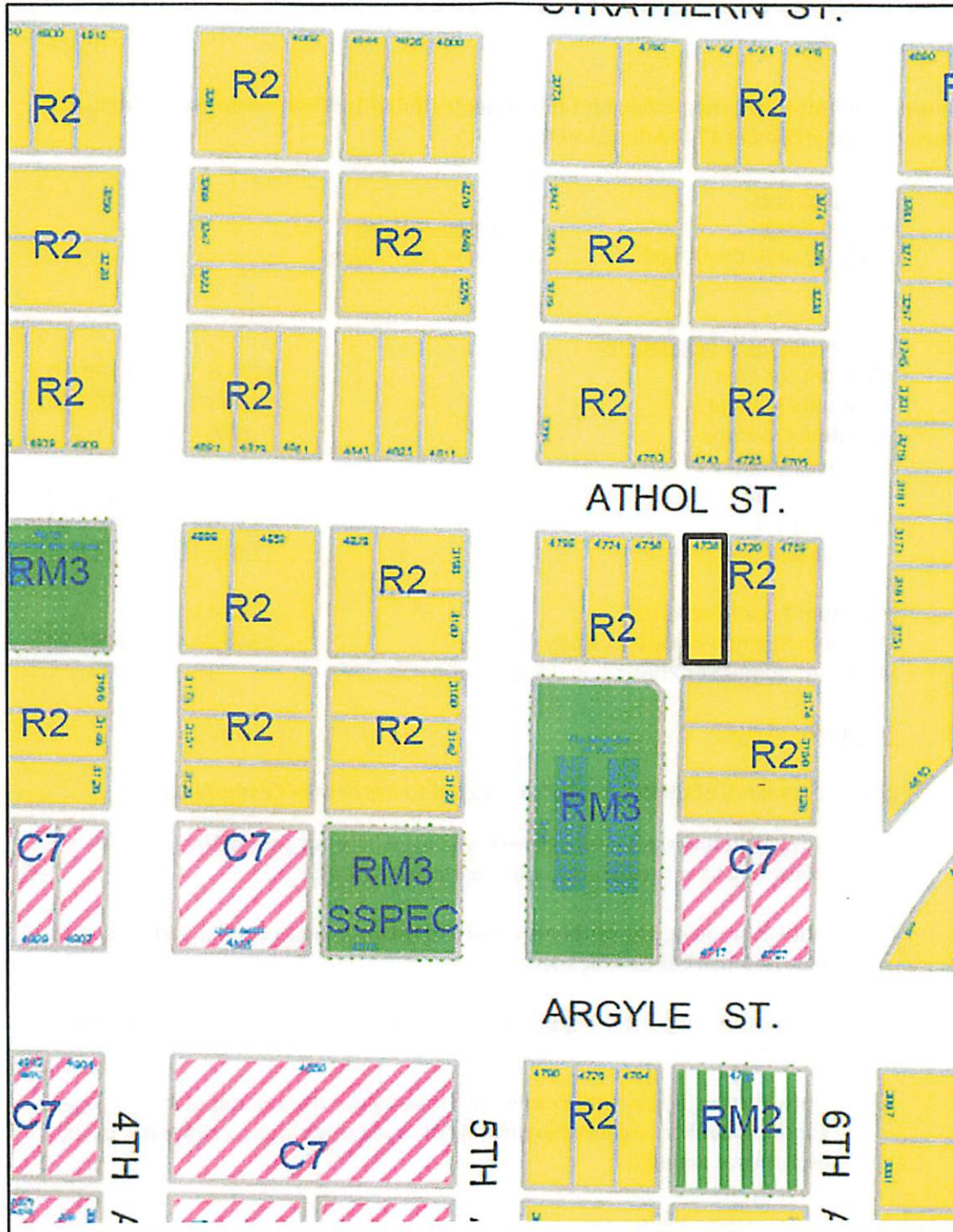
SUBJECT PROPERTIES MAP – 4738 ATHOL STREET



CURRENT OCP LAND USE DESIGNATION – 4738 ATHOL STREET



CURRENT ZONING CLASSIFICATION – 4738 ATHOL STREET



PROPOSED NEW ZONE DESCRIPTION

CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4738 Athol Street

8.2 The purpose of this zone is to provide for rental-oriented multi-family in-fill development in the Uptown neighbourhood at 4738 Athol Street.

8.2.1 Permitted uses

Principal Uses

Multiple family dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

Minimum Lot Area	443 m ²	(4,768 ft ²)
Minimum Frontage	12 m	(39.4 ft)
Maximum Coverage	58%	
Minimum Setbacks:		
Front yard	3.5 m	(11.5 ft)
Rear yard	5.0 m	(16.4 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	1.34	
Maximum Height, Principal Building	13.7 m	(45.9 ft)
Maximum Number of Principal Building Storeys	3	

8.2.3 Conditions of Use

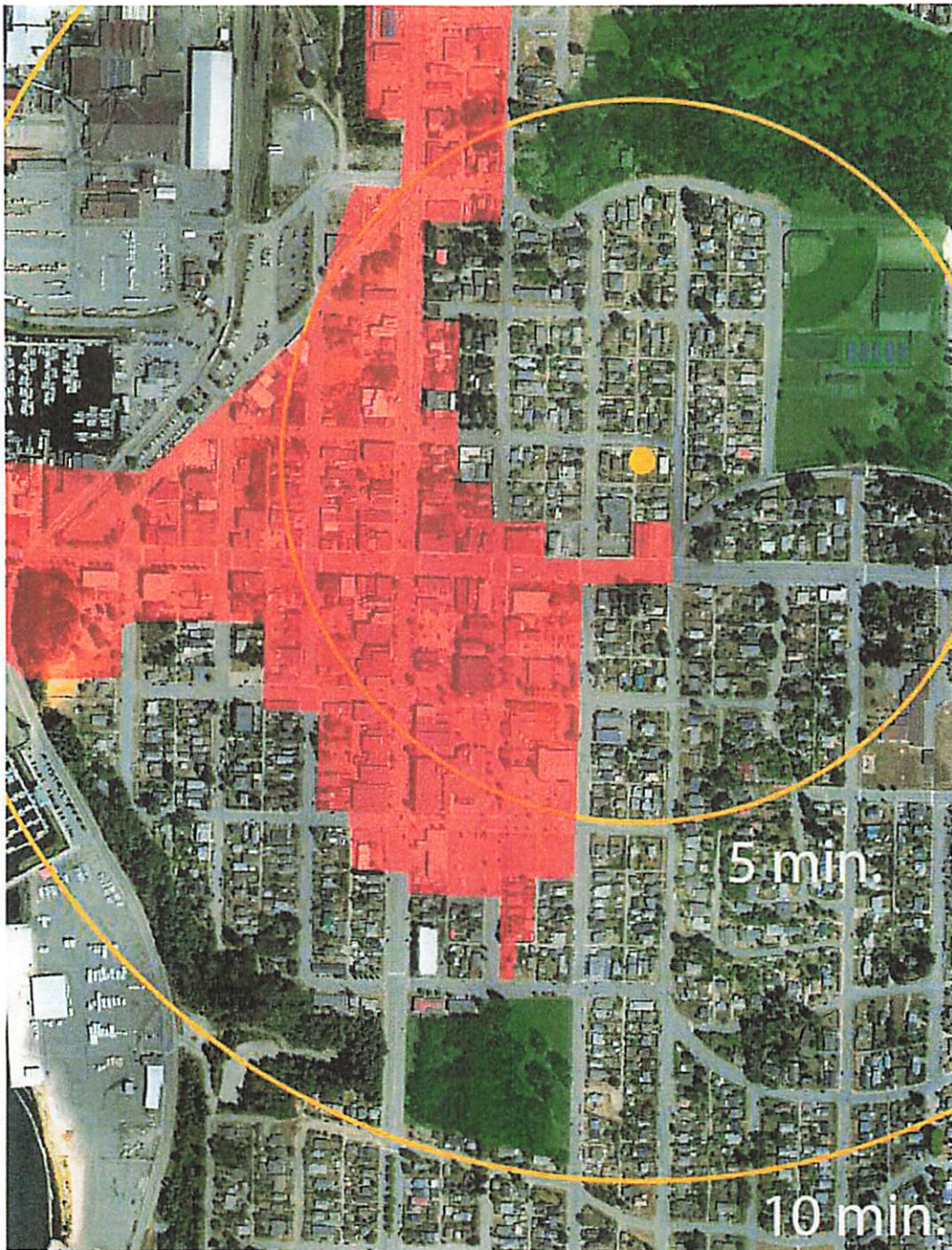
- (a) Occupancy of dwelling units is restricted to *Residential Rental Tenure*.
- (b) Notwithstanding any other provision of the Bylaw, on-site parking shall be provided at a rate of one (1) space per dwelling unit.
- (c) Notwithstanding any other provision of the Bylaw, up to two (2) parking spaces may be Small Car parking spaces.
- (d) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required shall be 169 m².
- (e) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required may consist exclusively of roof garden areas, private balconies, and private patios.

- (f) Permanent roof top structures are not permitted except where required for access.
- (g) Home occupation as a permitted use is restricted to office space for a business which is lawfully carried on at another location.

WALKABILITY MAP – 4738 STREET

**The orange walk rings are based on a 5 min. per 400 m standard.

**Red = commercial, Green = park

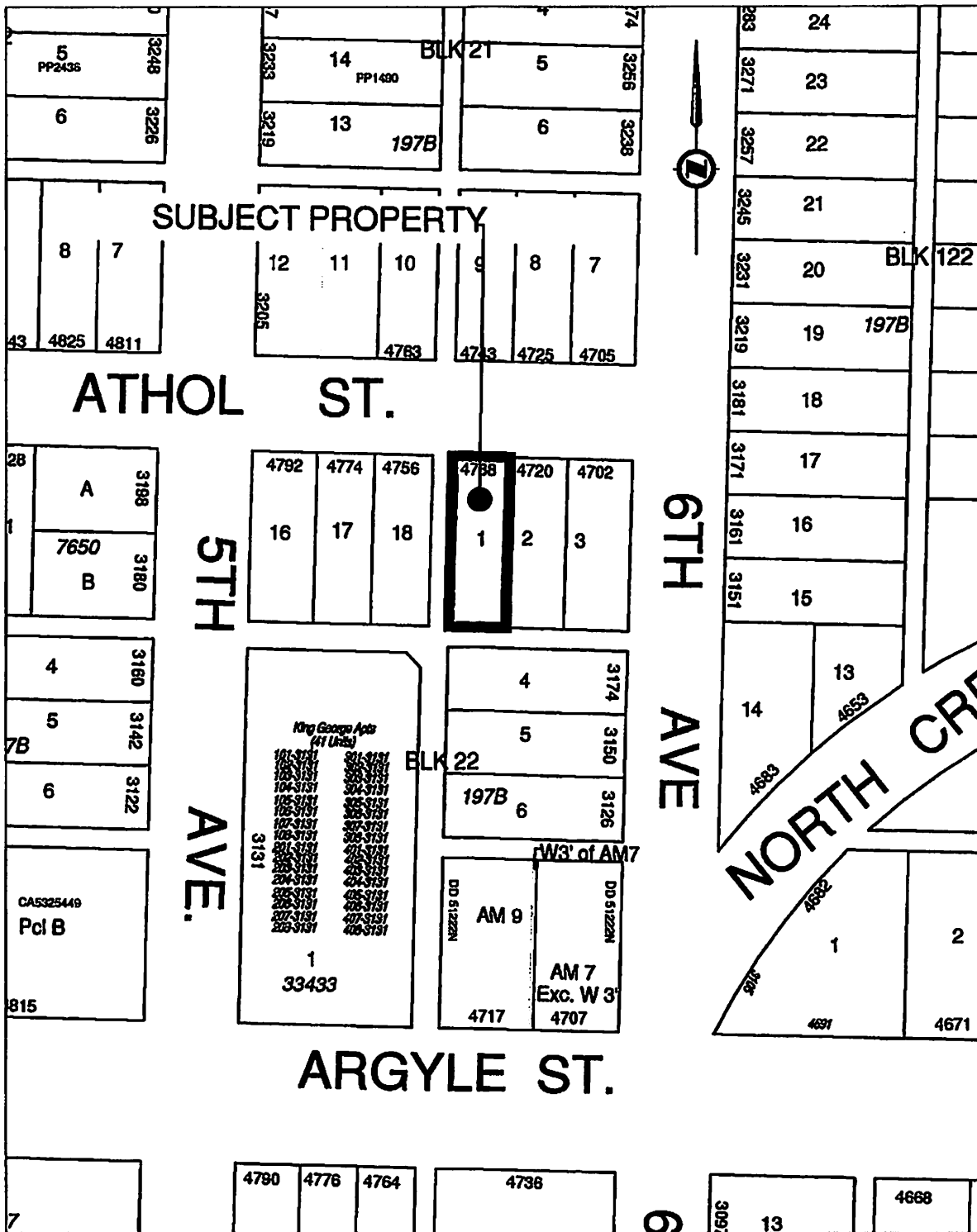


OCP Policy for Re-Designation of Multi-Family Residential Lands

SECTION	OCP TEXT
1.1 Growth	<ul style="list-style-type: none"> To encourage the efficient use of land and infrastructure, and development of compact built form by encouraging sensitive in-fill and intensive forms of development in key locations of the City.
1.5 Community	<p><i>Residential</i></p> <ul style="list-style-type: none"> To ensure that a range of housing choice is provided in order to meet the needs of current and future residents.
Table 3 – Multi-Family Residential	<ul style="list-style-type: none"> This type of residential should be located in proximity to community services or major amenities.
Plan Policies - 4.0 Residential	<ul style="list-style-type: none"> Residential capacity could be substantially increased well beyond the 20-year horizon through the provision of a range of higher density housing forms... A wider choice of housing options translates into greater access to housing and a more livable community for a greater range of age groups. This is a fundamental objective in creating complete and inclusive communities.
Plan Policies - 4.0 Residential – Multi-Family Housing	<p>Typically, this form of housing is within or adjacent to established single-family residential neighbourhoods.</p> <ul style="list-style-type: none"> They are also typically situated near strategic amenity or service locations such as commercial nodes, parks, schools, community facilities, or in relation to significant transportation corridors. The objective is to facilitate compact urban form which reduces vehicle trips, increases the likelihood of social interaction, increases the economic viability of commercial nodes, and leads to a more sustainable lifestyle.
Plan Policies - 4.0 Residential – Affordable Housing	<p>...A range of affordable housing options should be provided to accommodate a wide range of lifestyles and economic profiles such as young families, seniors, singles, those on a fixed income or are low-income households. Such housing can consist of a range of forms including multi-family, high density detached single-family residential, or secondary suites within or associated with single-family dwellings in single-family neighbourhoods.</p> <p>[The OCP] promotes integration of such housing throughout the community in order to provide greater housing diversity.</p>

4.1 General Provisions	<p><i>Council Policy</i></p> <p><i>2. The provision of a wide-range of housing choice for the benefit of all demographic and socioeconomic segments is encouraged.</i></p> <p><i>3. The City supports efforts to provide integrated special needs, affordable, and rental housing within the community.</i></p> <p><i>4. The City will encourage greater residential density in locations near commercial nodes and near transit routes.</i></p>
4.3 Multi-Family Residential (MFR)	<p><i>Council Policy</i></p> <p><i>3. Land designated Multi-Family Residential (MFR) on Schedule “A” (Land Use Map) shall be designated as a Development Permit Area to control the form and character of development in order to ensure an appropriate fit with the adjacent neighbourhood.</i></p> <p><i>4. When considering re-designation of areas to Multi-Family Residential (MFR), the City shall consider the following criteria:</i></p> <ul style="list-style-type: none"> <i>• Should be within walking distance (approximately 800 metres) of commercial, recreational, public/institutional nodes, or community scale parks;</i> <i>• Should be located on or in proximity to major collectors or arterial roads in order reduce traffic impacts on local roads;</i> <i>• An adequate transition between lower density housing, and compatibility with adjacent land uses must be provided;</i>

Schedule "A" to Bylaw No. 5048





**Summary Report / Minutes of the Advisory Planning Commission Meeting
held on February 17, 2022 at 12:00 p.m.
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

Commission Members Present

Ken McRae (Vice-Chair)
Amy Anaka
Ken Watts, (CEO Tseshah (č išaa?ath) F.N)
Stefanie Weber
Chris Washington, S.D.70
Peter Dionne, R.C.M.P. Liaison
Andre Guerin, P.A.F.D. Liaison
Councillor Helen Poon (Alt.- Council Liaison)

Regrets

Ed Francoeur (Chair)
Callan Noye
Joe McQuaid
Amy Needham, Parks Operations Liaison
Councillor Deb Haggard, Council Liaison
Jolleen Dick, Councillor, Hupačasath F.N.

Staff

Scott Smith, Dir. of Dev. Services/Acting CAO
Brian McLoughlin, Development Planner
Price Leurebourg, Development Planner
Cara Foden, Planning Technician

Guests

L. Sam, (Alt. – Tseshah (č išaa?ath) F.N)
Applicants: K. Rai

Alternates (not in attendance)

Larry Ransom (Alt.- S.D.70)
Roger Nopper CEO, (Alt. - Hupačasath F.N.)



1. Acknowledgements and Introductions –

Acknowledgement, by the Chair, that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshah (č išaa?ath) First Nations.
Welcome and introductions.

2. Minutes - Adoption of January 20, 2022 Minutes

Motion:

That the City of Port Alberni Advisory Planning Commission adopt the minutes of the January 20, 2022 regular meeting as amended.

(Weber / Washington) CARRIED

**3. DEVELOPMENT APPLICATION – Official Community Plan and Zoning Bylaw amendment
4738 Athol Street -**

Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962

Applicant: K. Rai

- City Development Planner (B.M.) summarized his report dated February 15, 2022.
- APC discussed the proposed amendments and report.
 - There was a question regarding the numbering for the CD2 zone proposed. It was clarified that two applications for new "CD" zones are being processed and numbering will be adjusted accordingly as the amendments move forward.
 - Accessibility was discussed. The Planner indicated that there are no plans for an Elevator to be included. The applicant will require a Development Permit and a Building Permit prior to construction. The APC inquired whether there were plans for a wheelchair ramp to be

included and if there would be an accessible, level access to the building through the back, adjacent to the parking lot. The applicant verbally indicated that accessibility was important to consider. It was noted by the Director of Development Services that the final plan and construction details would be evaluated during the permitting stages.

- RCMP commented that the lack of an elevator was a concern. Emergency response will be more challenging. An elevator is not a requirement for a building less than 4 storeys.
- The Fire Department commented that the addition of a fire hydrant (private or city owned) would be desirable. One of the units cannot be reached by a ladder truck for emergency access. The Planner indicated that the Architect has designed the building to meet the Building and Fire Codes.
- There was concern expressed regarding the height of the building. The APC discussed the proposal with respect to the potential impact of the building to immediate residential neighbours due to its height. It was noted that the OCP currently indicates that there should be an adequate transition, between lower and higher density housing, that is respectful of the scale and character of the neighbourhood. The building itself is comparable to the height permitted in the RM2 zone but a stairwell enclosure, to access the rooftop open space, has added additional height comparable to that of an elevator shaft.
- Several members noted that the height may not be out of line with the immediate neighbourhood and that many suites existed in the area already adding to density. There was an indication that the community was generally supportive of increased density for much needed housing units. It may not be possible to decrease the height of the development and preserve its economic viability.
- Open space was considered. APC had questions regarding open space requirements, use of the proposed roof top and balconies and how the roof top space would be used, or not used, by tenants. The Planner indicated that the balcony areas are included in meeting the open space area requirement. Open space calculations also include the rooftop space. He also noted that balconies are generally considered to increase the quality of life for tenants.
- The project will provide much needed housing in the community (6 units). The APC voiced the opinion that the number of similar applications is likely to increase in the future and the OCP review will be an opportunity to gauge community support for increased density. The OCP review should consider neighbourhood impacts in specific areas.

Motions:

1. *That the Advisory Planning Commission recommends to City Council that with respect to Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962 located at 4738 Athol Street the City proceed with the following map amendments to the Official Community Plan bylaw:*
 - a. *Amend the Official Community Plan (Schedule A – Land Use Map) to change the designation of the properties from 'General Commercial' to 'Multi-Family Residential' use;*

- b. Amend the Official Community Plan (Schedule B – Development Permit Areas Map) to remove the properties from Development Permit Area No. 2 General Commercial and to include the properties in **'Development Permit Area No. 2 Multiple Family Residential'**.
2. That with respect to Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962 located at **4738 Athol Street** the City proceed with the following text amendments to the Zoning Bylaw:
- a. Define 'Residential Rental Tenure' by adding the following text to Section 4-Definitions:
"Residential Rental Tenure means, in relation to a dwelling unit in a multi-family residential building or multiple dwelling, a tenancy governed by a tenancy agreement that complies with the Residential Tenancy Act".
- b. In Section 5.0 Establishment of Zones add the following text to the list of zones under Section 5.1
"CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St."
- c. Under Section 8.0 Comprehensive Development Zones add Section 8.2 text as follows:

8.2

CD2 – COMPREHENSIVE DEVELOPMENT – MULTI-FAMILY RESIDENTIAL INFILL – 4738 ATHOL ST.

- 8.2** The purpose of this zone is to provide for rental-oriented multi-family in-fill development in the Uptown neighbourhood at 4738 Athol Street.

8.2.1 Permitted uses

Principal Uses

Multiple *family* dwellings

Accessory Uses

Home occupation

8.2.2 Site Development Regulations

Minimum Lot Area	400 m ²	(4,305 ft ²)
Minimum <i>Frontage</i>	12 m	(39.4 ft)
Maximum <i>Coverage</i>	58%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	3.5 m	(11.5 ft)
<i>Rear yard</i>	5.0 m	(16.4 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum <i>Floor Area Ratio</i>	1.34	
Maximum Height, Principal <i>Building</i>	13.7 m	(45.9 ft)
Maximum Number of Principal <i>Building Storeys</i>	3	

8.2.3 Conditions of Use

- (a) Occupancy of dwelling units is restricted to *Residential Rental Tenure*.

- (b) Notwithstanding any other provision of the Bylaw, on-site parking shall be provided at a rate of one (1) space per dwelling unit.
- (c) Notwithstanding any other provision of the Bylaw, up to two (2) parking spaces may be Small Car parking spaces.
- (d) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required shall be 169 m².
- (e) Notwithstanding any other provision of the Bylaw, the amount of *useable open space* required may consist exclusively of roof garden areas, private balconies, and private patios.
- (f) Temporary or permanent roof top structures are not permitted except where required for access.
- (g) *Home occupation* as a permitted use is restricted to office space for a business which is lawfully carried on at another location."

3. *That with respect to Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962 located at 4738 Athol Street the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of the property from 'R2 One and Two Family Residential' to 'CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.'*

(Washington / Weber) CARRIED

4. STATUS UPDATE:

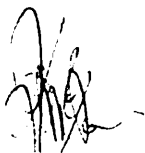
The Director of Development Services updated the APC with respect to the following:

- o A.C.A.W.S. (Vimy St. project) – Public Hearing held. Bylaws to Council for 3rd Read on February 28th
- o 5405 Argyle (B. Toor) – Public Hearing held.
- o 4841 Redford (Uchucklesaht) - Development Variance Permit to Council on February 28th
- o 5th Ave. & Burde St. (Carniato) – Bylaws to Council on February 28th for 1st reading.

5. OTHER BUSINESS

6. **ADJOURNMENT** – The meeting adjourned at 12:40 pm. The next meeting is scheduled for 12:00 pm on **March 17, 2022**.

(Dionne / McRae) CARRIED



Ken McRae (Vice-Chair)



Summary of Pre-engagement

Application: OCP/ZON21-08		
Address:	4738 Athol St.	Date: April 14 2022
Applicant:	Hokum Holdings	

RE: Application to amend Official Community Plan to change land designation from Residential to Multi-Family Residential

Description:	On Tuesday March 8 th , 2022, a letter was mailed to all owners and occupants of property within 75 metres of 4738 Athol St. This letter contained a description of the requested OCP amendment and proposed development, along with two conceptual images provided by the applicant as part of their application. The letter provided instructions on how to contact City staff with comments on the proposal either in-person at City Hall, or by email or phone. The letter requested that all feedback be received by Monday March 28 th .
Details:	<p>A total of 90 letters were mailed to property owners, occupants within 75 metres of the 4738 Athol St. The distance of the mail-out is consistent with the City of Port Alberni's <i>Development Application Notice Bylaw</i>.</p> <p>A total of 15 responses were received. Respondents included residents both inside and outside the 75 metre mailing area.</p>
Summary of Responses:	<p><u>Areas of Support</u></p> <ul style="list-style-type: none"> • Support for making Port Alberni more dense to make services more accessible for residents • Support for making Port Alberni more dense to and reduce required driving • Support for providing housing <p><u>Areas of concern:</u></p> <p>Impact on Neighbourhood</p> <ul style="list-style-type: none"> • Concern that people chose to live in the neighbourhood because they perceive it to be single-family. • Concern that apartment building does not "belong" on a residential street. • Concern that rental-only units would remove opportunity for private home ownership. • Concern this will make developers buy local properties for for-profit rentals • Concern development will reduce values of homes in the neighbourhood. • Concern common area on roof will create noise and reduce privacy of neighbours • Concern overall development will reduce privacy for some neighbours • Concern that building height is too much compared to surrounding homes • Concern shadow from building would affect neighbours' physical and mental health, and ability to garden in yards. • Concern development will block views • Concern the size of the building is too big for the lot and will "cramp" area



	<ul style="list-style-type: none"> • Concern the building does not fit neighbourhood character • Concern development would change the character of the neighbourhood as “quiet, low density, neighbourhood”. • Concern there is already enough multifamily housing in the area. • Concern 6-unit building would “ruin the aesthetics” of the neighbourhood. • Concern that short setbacks are a fire hazard. • Concern construction process would disrupt the neighbourhood <p>Nuisance and Crime</p> <ul style="list-style-type: none"> • Concern development would cause significant disruption of neighbourhood and residents. • Concern that too many people living on one property will have a negative effect on the community • Concern building would be poorly managed and a source of crime and nuisance • Concern that six vehicles means more CO2 emissions, dust, and noise. • Concern over pet waste on neighbours’ yards because of lack of open space in development. • Concern that tenants smoking outside will affect air quality • Concern that crime will increase meaning residents cannot leave courier packages outside. • Concern that complex will not be maintained. <p>Parking, Access and Traffic</p> <ul style="list-style-type: none"> • Concern there is not enough on-site parking for building • Concern that reduced parking will create problems for local residents • Concern over guests parking in street and decreasing available street parking • Concern over traffic safety in neighbourhood (means more congestion) • Concern about increased traffic issues at intersections of 5th and Athol • Concern that traffic on alley to rear of development will increase • Concern that lanes at side and back are single lane and not suitable for traffic from this development. • Concern about truck access to laneway for garbage removal • Concern about fire truck access to laneway • King George apartments uses street parking • Street parking used most at evening/night. Movie theatre customers use street parking on 6th Ave. <p>Utilities</p> <ul style="list-style-type: none"> • Water run-off/drainage issues in laneway need to be solved. • Are there adequate water and sewer to support six units? <p>Technical</p> <ul style="list-style-type: none"> • Concern that covered not parking included in lot coverage • Concern that OCP policy 4.3.4. regarding designation of new lands as multifamily has not been met (consideration of transition to and compatibility with adjacent land uses) • Concern that OCP is under review and application should wait.
--	---



	<ul style="list-style-type: none">• Disagree with how a comprehensive development zone is used.• Disagree with changing the OCP and Zoning Bylaw to increase density and allow multifamily housing.
--	--



CITY of PORT ALBERNI

PLANNING DEPARTMENT

4850 Argyle Street, Port Alberni, B.C. V9Y 1V8
T: 250.720.2830 or visit our website: www.portalberni.ca

Tuesday, March 8, 2022

File: OCP2021-05

RE: DEVELOPMENT APPLICATION – Amendments to the City of Port Alberni Official Community Plan
4738 Athol Street
Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962
Applicant: K. Rai dba Hukam Holdings Ltd.

Dear Sir/Madam:

You are receiving this letter because you are the occupant or owner of property within 75 metres of 4738 Athol Street in Port Alberni, BC. The City of Port Alberni has received an application to redevelop 4738 Athol Street for multi-family housing consisting of six apartment units. The City of Port Alberni is providing you an early opportunity to ask questions or send comments on this proposal.

The applicant has requested an amendment to the Official Community Plan (OCP) to change the land use designation at 4738 Athol Street from 'Residential' to 'Multi-Family Residential'. The property would also be added to 'Development Permit Area No. 1 – Multi-Family Residential'. These amendments to the OCP would enable a rezoning of the property for multi-family development.

If you have any questions or comments on this amendment to the Official Community Plan, please contact the Development Services Department at City Hall by Monday, March 28th in one of the following ways:

- In-person at the Development Services counter (Monday to Friday 8:30 am to 4:30 pm)
- By email: brian_mcloughlin@portalberni.ca
- Or by phone: **250-720-2806**

Information related to the proposed OCP amendments may be viewed at the Development Services counter at City Hall during regular hours. If the development application proceeds, a full Public Hearing will be held at a later date.



Page 1 of 2



Sincerely,

Brian McLoughlin, Development Planner
City of Port Alberni

THE CITY OF PORT ALBERNI
ENGINEERING SERVICING REPORT

FILE:

DATE: May 16, 2022

LEGAL: LOT 1, BLK22, Plan 197B

LOCATION: 4738 Athol St.

SUBJECT: Rezoning Application

Engineering has no objection to the proposed rezoning provided it conforms to current bylaw standards. The following report identifies key site specific requirements and bylaw issues which are to be satisfactorily addressed.

1.00 ROADS:

- 1.01 The Applicant to engage a Civil Engineer licensed in the Province of BC to provide a half road design to be approved by the CPA Director of Engineering. Design to include non mountable concrete curb and gutter, 1.52m sidewalk tight to C&G, grass Blvd and 5.5m of pavement center in the road ROW. A design for hard surface and drainage will also be required for the existing gravel lane West of the property.

2.00 Sewerage

- 2.01 The Applicant to engage a Civil Engineer licensed in the Province of BC to confirm sewer capacity in the existing sewer main on Athol St between SMH's F136 and F140. Size confirmation of the existing 100mm sanitary connection at the P/L should also be done if reused for the proposed new build.

3.00 Drainage

- 3.01 The Applicant to engage a Civil Engineer licensed in the Province of BC to provide a storm water management plan and related drain design to be approved by the CPA Director of Engineering. A storm drain main will need to be designed and installed on Athol St from DMH KB10 to the shared P/L between 4720 & 4738 Athol St. Design should include future proposed gravity storm drain connection to each of the properties on the South side of Athol, East of 5th Ave. A storm drain connection to be sized and installed to the P/L of 4738 Athol St.

4.00 Water

- 4.01 The CPA will install a new water service connection as per approved Building Plans plumbing fixture count. The cost to the Applicant will be the current CPA Fees and Charges rate.

5.00 SHALLOW UTILITIES:

- 5.01 All conditions of BC Hydro, Telus, Fortis Gas and CATV must be satisfied. All shallow utilities must be shown on the engineering plans prior to approval.

6.00 GEOTECHNICAL:

- 6.01 A geotechnical investigation of the site will be required. The report should address all geotechnical issues which may affect the proposed development such as:
- a) Site soil and groundwater characteristics.
 - b) Site suitability for intended development.
 - c) Recommendations for foundation design.
 - d) Recommendations for slab-on-grade construction.
 - e) Any special requirements for construction.
 - f) Location and stability of fill areas.
 - g) Restricted building areas.
 - h) Road design.
 - i) Drainage practices.
 - j) Potential flood areas.

7.0 SITE GRADING:

- 7.01 Site grading plans for on site development will be required to ensure the proposed grading fits with surrounding areas, drainage and any identified hazards.

8.00 GENERAL

8.01 Approved engineering plans will be required for all servicing and for connections to existing infrastructures. The Applicant's Engineer should consult with the Engineering Department prior to commencement of detailed engineering design.

8.01 All works within existing City Rights of Way will require that the applicant:

- a) Provide engineering drawings for the works

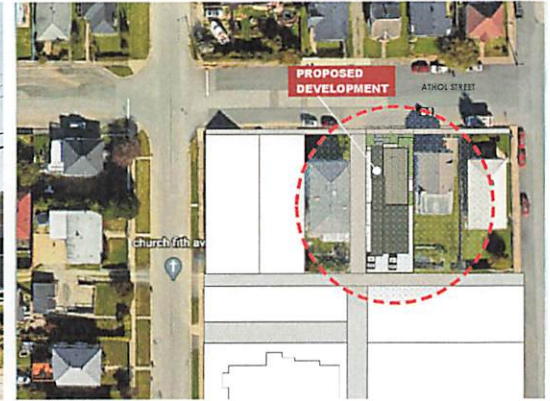
- b) Enter into a Development Agreement, provide security in a form acceptable to the Director of Engineering in the amount of 100% of the cost of construction of the road works and 100% for the pipe works within the City road or Right of Way.
- c) Obtain a Work on City Streets Permit from the Engineering Department for construction within a City Right of Way.



BUILDING VIEW



STREET VIEW



AERIAL VIEW OF SITE

SHEET NUMBER SHEET NAME

A000	COVER SHEET
A001	AERIAL VIEW
A100	SITE PLAN
A101	LEVEL 1
A102	LEVEL 2
A103	LEVEL 3
A200	ELEVATIONS
A201	ELEVATIONS
A300	SECTIONS
A400	PERSPECTIVES
A500	SHADOW STUDY

PROJECT CONSULTANTS

PROJECT CONSULTANTS:
ARCHITECT:
 JOYCE TROOST
 JRT ARCHITECTURE
 250 714 8749
 joyce@jrtarchitecture.com
LANDSCAPE ARCHITECT:
 KATE STEPIK
 KINSHIP DESIGN ART ECOLOGY
 250-753-6093
 kate.stefan@kinshipdesign.ca

PROJECT DATA

SITE AREA	4,769.17 SF	USE CALCULATION	Balcony Areas
ZONE	R2 (Original Zone)		Level 2
PROPOSED ZONE	CD3		Unit 2 126 SF + 54 SF
			Unit 3 129 SF
PROPOSED:			Level 3
FAR	1.34 (GFA 4,409 SF)		Unit 4 124 SF
SETBACKS			Unit 5 56 SF
	Front Yard = 3.5 m		Unit 6 129 SF
	Side Yards = 1.5 m		Total Balcony Areas 422 SF
	Rear Yard = 5.0 m		
LOT COVERAGE	50% (Footprint 2,777 SF)	Frost Patches	Level 1
BUILDING HEIGHT	13.7 M		Unit 1
PARKING REQUIREMENT	1.25 STALL/UNIT 7.5 STALLS required (1 Small Car Allowed)		Main Entrance 63 SF
	Accessible Parking 0		Total Frost Patches 104 SF
PARKING REQUIREMENT	Provided & spaces: 4 Standard 2 Small cars (1.5 variance in total count)	Roof Top Poles	1089 SF
		TOTAL UOS	1818 SF
UNITS	6 UNITS: 2 - 1 BDRM 2 - 2 BDRM 1 - 2 BEDROOM + DEN 1 - 3 BEDROOM		
	UNIT 01: 18 UNIT 02: 28 UNIT 03: 21 + Den UNIT 04: 28 UNIT 05: 18 UNIT 06: 28		

JOYCE TROOST ARCHITECTURE
 45 R. CLARK RD. CHICAGO, IL 60631
 312.714.8749
 joyce@jrtarchitecture.com

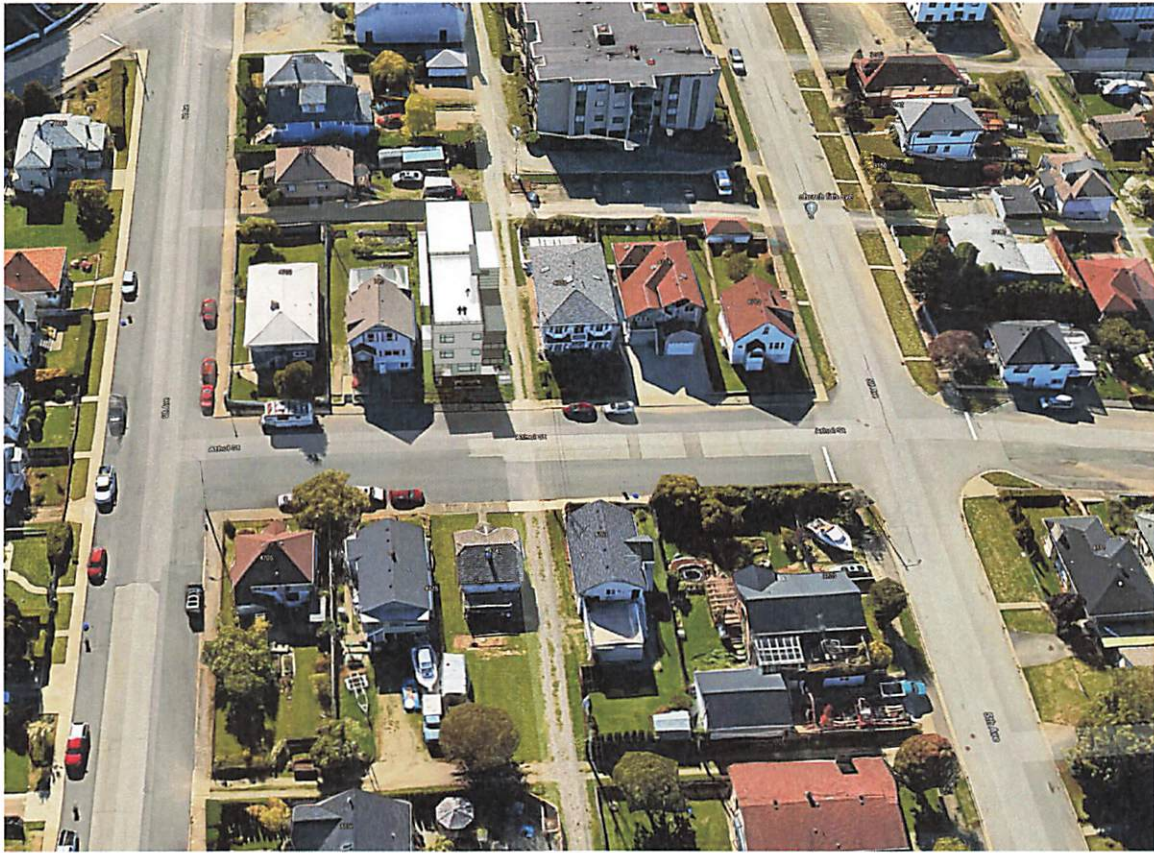
6 PLEX, ATHOL STREET
 4701 ATHOL STREET, PORT ALBERT, BC

OWNER: HURON HOLDINGS LTD.

REV.	DATE	NUMBER	DESCRIPTION
01	2022-08-15	1	ISSUED FOR PERMIT

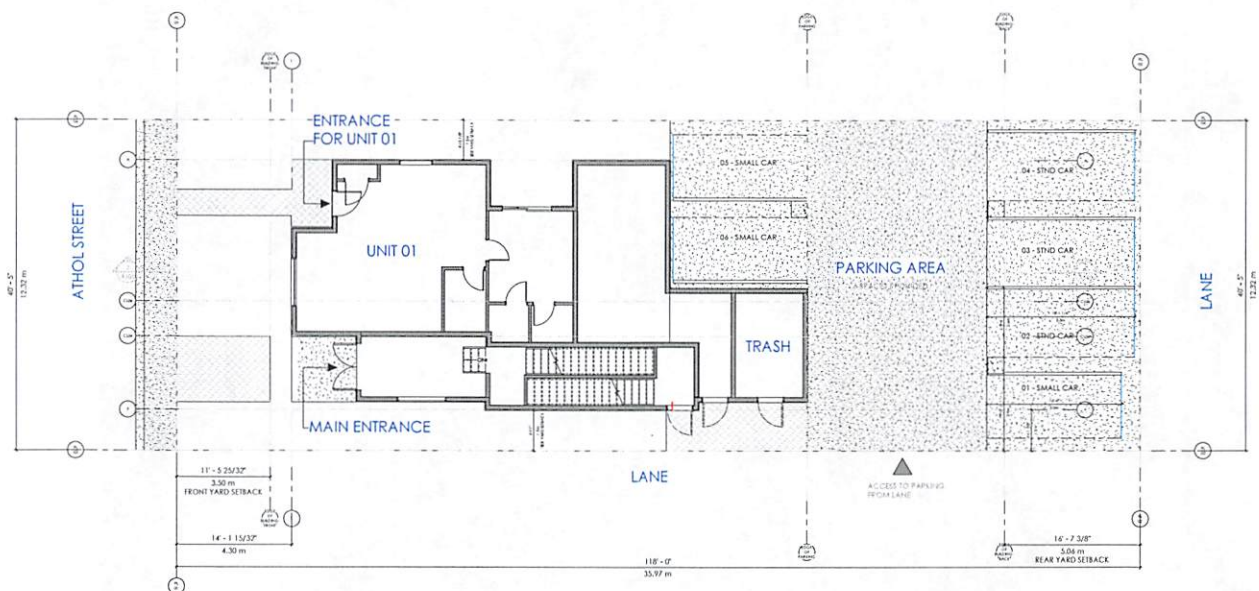
DATE: 2022-08-15
 DRAWN BY: JRT
 CHECKED BY: JRT

COVER SHEET
A000



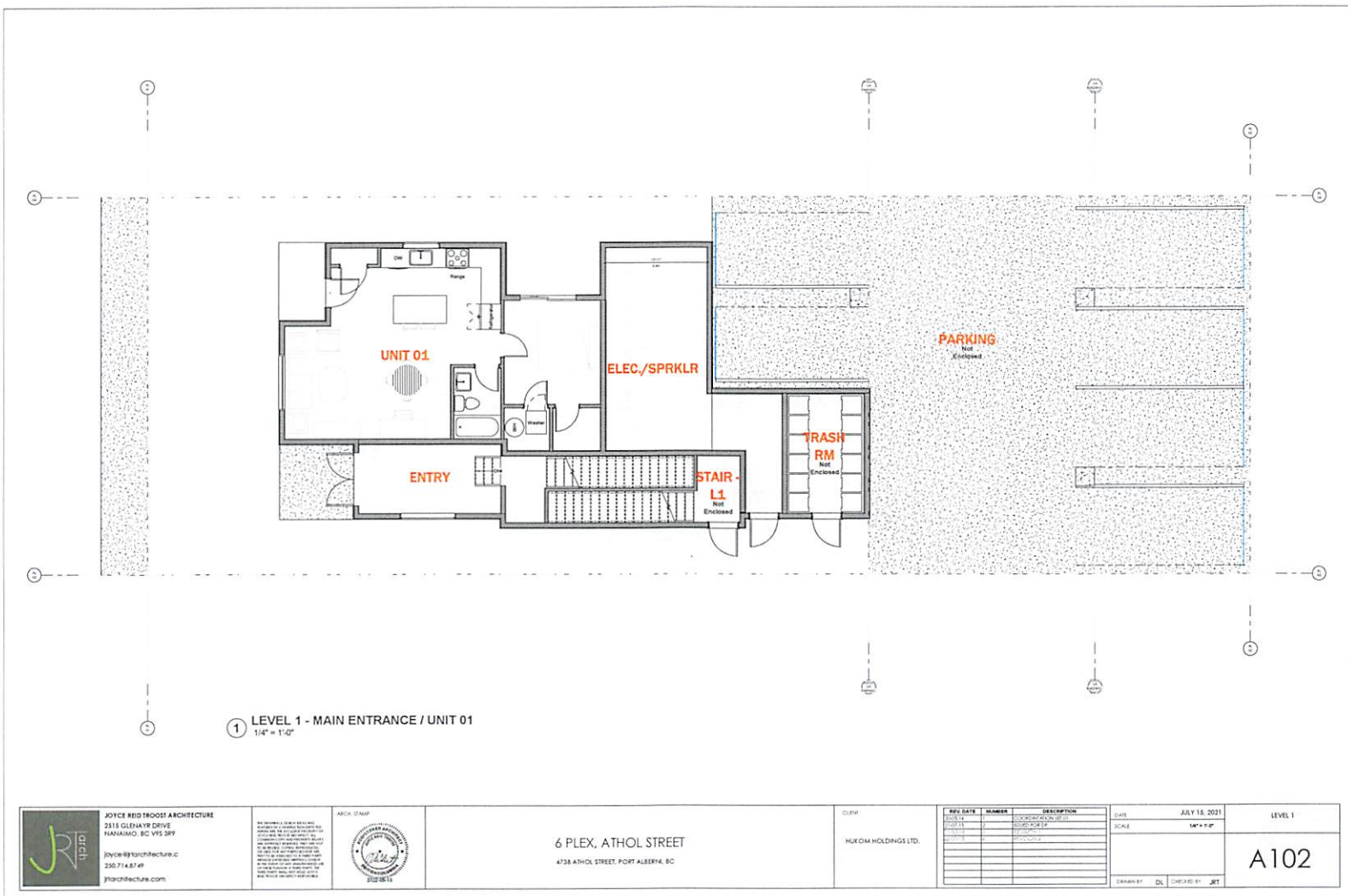
BIRDS EYE VIEW OF PROPOSED DEVELOPMENT AND NEIGHBOURHOOD

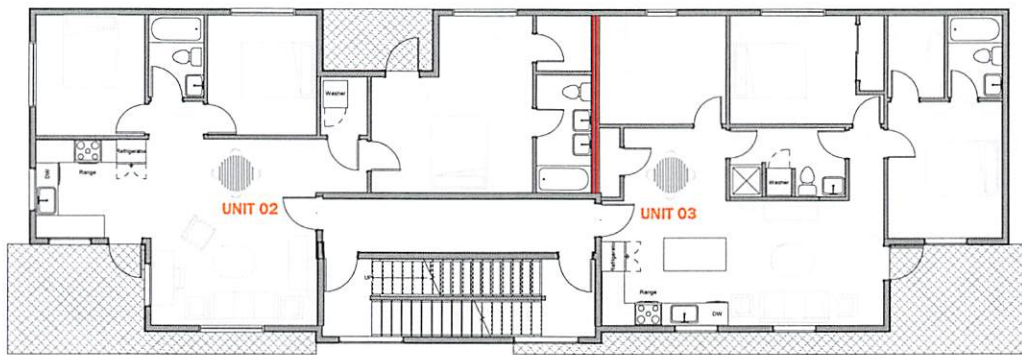
 <p>JOYCE REID INOUÉ ARCHITECTURE 251 E. CLIFTON ST. CHICAGO, IL 60606 TEL: 312.467.1474 WWW.JOYCE-REID-INOUE.COM</p>	<p>PREPARED BY: JOYCE REID INOUÉ ARCHITECTURE DATE: 07/19/2021 PROJECT: 6 PLEX AT HOL STREET, PORT AU PRINCE, QC DRAWN BY: JRI CHECKED BY: JRI</p>		<p>6 PLEX AT HOL STREET 4758 AT HOL STREET, PORT AU PRINCE, QC</p>	<p>CLIENT: HURON HOLDINGS LTD.</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>REVISION</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	REVISION	BY																															<table border="1"> <thead> <tr> <th>DATE</th> <th>REVISION</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	REVISION	BY																															<p>DATE: 07/19/2021 DRAWN BY: JRI CHECKED BY: JRI</p>	<p>AERIAL VIEW A001</p>
					DATE	REVISION	BY																																																																			
DATE	REVISION	BY																																																																								



① SITE PLAN
3/16" = 1'-0"

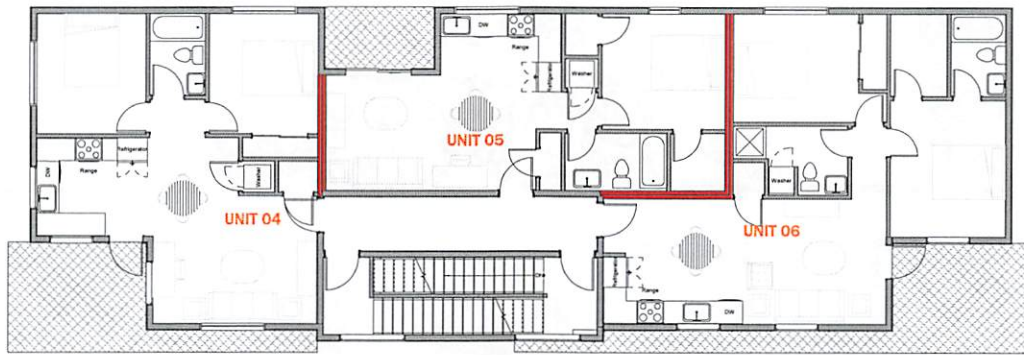
 <div>JOYCE REID TROCITT ARCHITECTURE 255 COLLEMAN DRIVE ALBANY, NY 12205 518-261-1111 www.jrtarch.com</div> <div>JOYCE REID TROCITT ARCHITECTURE 255 COLLEMAN DRIVE ALBANY, NY 12205 518-261-1111 www.jrtarch.com</div>	<div>THE DRAWING IS TO BE USED FOR THE PROJECT ONLY. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING.</div> <div>JOYCE REID TROCITT ARCHITECTURE 255 COLLEMAN DRIVE ALBANY, NY 12205 518-261-1111 www.jrtarch.com</div>	<div>PROFESSIONAL ENGINEER DAVID J. TROCITT NO. 10000 STATE OF NEW YORK</div> <div>2022-08-11</div>	<div>6 PLEX, ATHOL STREET 4750 ATHOL STREET, FORT ALBANY, NY</div>	<div>TITLE: 6 PLEX, ATHOL STREET PROJECT: 6 PLEX, ATHOL STREET DATE: 08/08/2022</div>	<table><tr><th>REV.</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>1</td><td>08/08/2022</td><td>ISSUED FOR PERMIT</td></tr></table>	REV.	DATE	DESCRIPTION	1	08/08/2022	ISSUED FOR PERMIT	<table><tr><th>DATE</th><th>BY</th><th>DESCRIPTION</th></tr><tr><td>08/08/2022</td><td>JOYCE REID TROCITT</td><td>ISSUED FOR PERMIT</td></tr></table> <div>SHEET PLAN A100</div>	DATE	BY	DESCRIPTION	08/08/2022	JOYCE REID TROCITT	ISSUED FOR PERMIT
REV.	DATE	DESCRIPTION																
1	08/08/2022	ISSUED FOR PERMIT																
DATE	BY	DESCRIPTION																
08/08/2022	JOYCE REID TROCITT	ISSUED FOR PERMIT																





① LEVEL 2
1/4" = 1'-0"

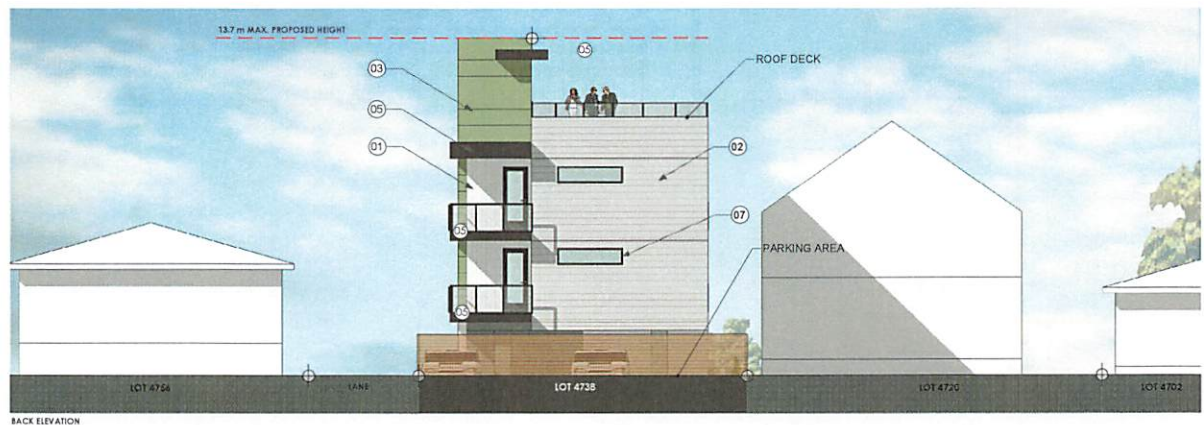
 <div>JR ARCHITECTURE 4511 CLARK ST. CHICAGO, IL 60630 (773) 477-1170 www.jrarchitect.com</div>	<div>THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF JR ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JR ARCHITECTURE.</div>		<div>6 PLEX, ATHOL STREET 4750 ATHOL STREET, FORT ALDERA, IL</div>	<div>PROJECT INFORMATION SHEET</div>	<table><thead><tr><th>REV.</th><th>DATE</th><th>NUMBER</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>	REV.	DATE	NUMBER	DESCRIPTION																																									<table><thead><tr><th>DATE</th><th>PROJECT</th></tr></thead><tbody><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></tbody></table>	DATE	PROJECT																			<table><thead><tr><th>LEVEL</th></tr></thead><tbody><tr><td>LEVEL 2</td></tr><tr><td>A102</td></tr></tbody></table>	LEVEL	LEVEL 2	A102
REV.	DATE	NUMBER	DESCRIPTION																																																																							
DATE	PROJECT																																																																									
LEVEL																																																																										
LEVEL 2																																																																										
A102																																																																										



1 LEVEL 3
1/4" = 1'-0"

<div><div><div></div><div>JR arch</div></div><div>JOYCE KEO THOIT ARCHITECTURE</div><div>2110 CUMMART CIRCLE ALBANY, NY 12212</div><div>518.263.1111 www.jrarch.com</div></div> <div><div>2110 CUMMART CIRCLE ALBANY, NY 12212</div><div>518.263.1111 www.jrarch.com</div></div>	<div>THE DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING.</div>	<div>PROFESSIONAL ENGINEER STATE OF NEW YORK No. 12345 Exp. 12/31/2023</div>	<div>6 PLEX, ATHOL STREET</div> <div>4750 ATHOL STREET, POINT ALBANY, NY</div>	<div>TITLE: <div>TRIM HOLDINGS LLC</div></div>	<div><table><tr><th>REV.</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table></div> <div><table><tr><th>DATE</th><th>REV.</th><th>DESCRIPTION</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table></div> <div><div>LEVEL 3</div><div>A103</div></div>	REV.	DATE	DESCRIPTION																												DATE	REV.	DESCRIPTION																											
REV.	DATE	DESCRIPTION																																																															
DATE	REV.	DESCRIPTION																																																															

MATERIAL LEGEND



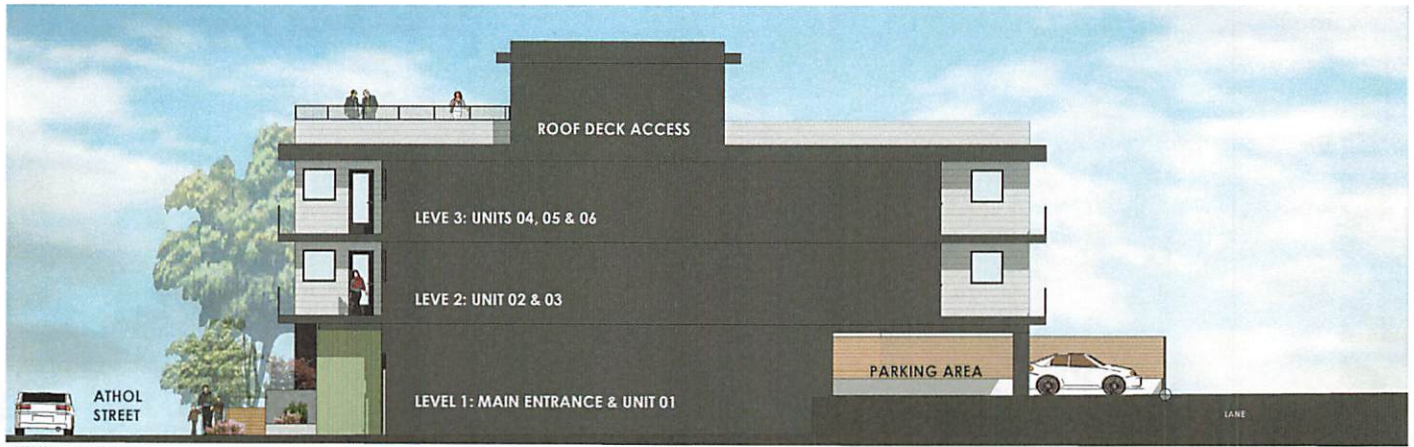
 <p>JOYCE REID TROOP ARCHITECTURE 4515 CLYDE AVE. VANCOUVER, BC V6J 1Y9 (604) 271-1111 www.joyce-reid-troop.com</p>	<p>THIS DOCUMENT IS THE PROPERTY OF JOYCE REID TROOP ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR DISTRIBUTED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF JOYCE REID TROOP ARCHITECTURE. ANY VIOLATION OF THESE TERMS WILL BE CONSIDERED A BREACH OF CONTRACT AND SUBJECT TO LEGAL ACTION.</p>	<p>PROFESSIONAL ARCHITECT 2022-08-15</p>	<p>6 PLEX ATHOL STREET 4735 ATHOL STREET, PORT ALBERNI, BC</p>	<p>TITLE FOR INFORMATION ONLY</p>	<table><tr><th>REV</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>01</td><td>2022-08-15</td><td>FOR INFORMATION ONLY</td></tr></table>	REV	DATE	DESCRIPTION	01	2022-08-15	FOR INFORMATION ONLY	<p>DATE: 2022-08-15 DRAWN BY: JRT CHECKED BY: JRT</p>	<p>ELEVATIONS: A200</p>
REV	DATE	DESCRIPTION											
01	2022-08-15	FOR INFORMATION ONLY											

MATERIAL LEGEND

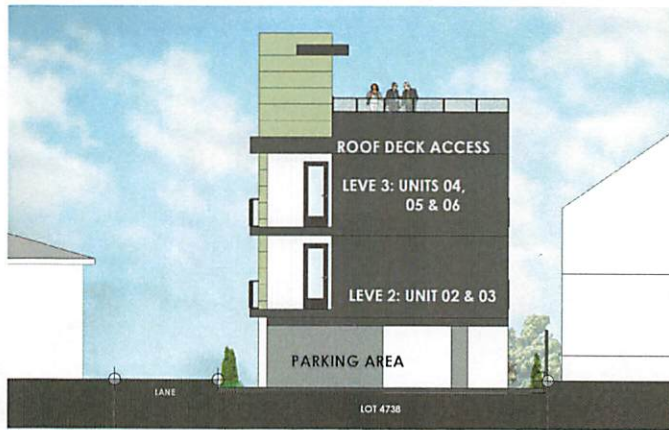
- 01 BOARD & BATTEN
ARCTIC WHITE
- 02 HARDE LIP SIDING
PEARL GREY
HARDE LIP SIDING
- 03 HARDE PANEL
HEATHERED MOSS
- 04 BOARD & BATTEN
HEATHERED MOSS
- 05 IRON GREY TRIM
- 06 WOOD FINISH STAINED
HARDE
- 07 BLACK WINDOWS



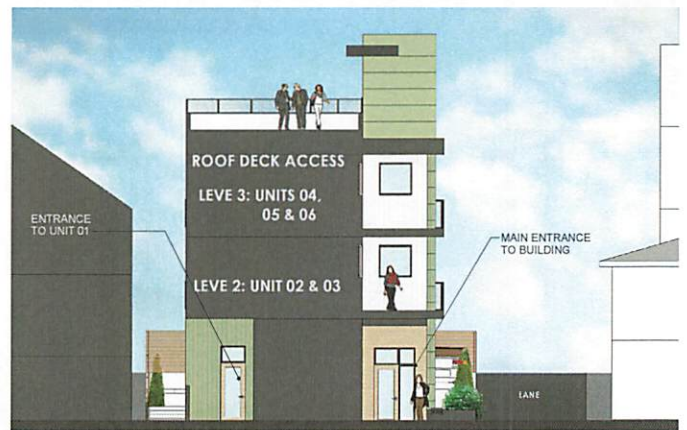
 <div>JOYCE REED THORNTON ARCHITECTURE 2017 CONSULTANT 1000-1000-1000-1000 1000-1000-1000-1000 1000-1000-1000-1000</div>	 <div>2022-08-15</div>	<div>6 PLEX ATHOL STREET 4738 ATHOL STREET, PORT ALBERNI, BC</div>	FOR INFORMATION ONLY	<table><tr><th>REV</th><th>DATE</th><th>NUMBER</th><th>DESCRIPTION</th></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>	REV	DATE	NUMBER	DESCRIPTION																																					<table><tr><th>FILE</th><th>2022-08-15</th><th>2022-08-15</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	FILE	2022-08-15	2022-08-15																											
				REV	DATE	NUMBER	DESCRIPTION																																																																				
FILE	2022-08-15	2022-08-15																																																																									



NORTH-SOUTH CROSS SECTION



EAST-WEST CROSS SECTION, BACK OF BUILDING



EAST-WEST CROSS SECTION, FRONT OF BUILDING

	JOYCE REID THROOST ARCHITECTURE 4730 ALBANY DRIVE ALBANY, BC V1R 7B5 250.771.1474 JOYCE@JOYCE-REID-THROOST.COM	THE DRAWING IS A PRELIMINARY DESIGN AND NOT A CONTRACT. IT IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.		6 PLEX ATHOL STREET 4730 ALBANY DRIVE, PORT ALBERNI, B.C.	CLIENT HURTMAN HOLDINGS LTD.	<table><tr><th>REV.</th><th>DATE</th><th>NUMBER</th><th>DESCRIPTION</th></tr><tr><td>1</td><td>2022-06-15</td><td>1</td><td>PRELIMINARY DESIGN</td></tr><tr><td>2</td><td>2022-06-15</td><td>2</td><td>PRELIMINARY DESIGN</td></tr><tr><td>3</td><td>2022-06-15</td><td>3</td><td>PRELIMINARY DESIGN</td></tr><tr><td>4</td><td>2022-06-15</td><td>4</td><td>PRELIMINARY DESIGN</td></tr><tr><td>5</td><td>2022-06-15</td><td>5</td><td>PRELIMINARY DESIGN</td></tr><tr><td>6</td><td>2022-06-15</td><td>6</td><td>PRELIMINARY DESIGN</td></tr><tr><td>7</td><td>2022-06-15</td><td>7</td><td>PRELIMINARY DESIGN</td></tr><tr><td>8</td><td>2022-06-15</td><td>8</td><td>PRELIMINARY DESIGN</td></tr><tr><td>9</td><td>2022-06-15</td><td>9</td><td>PRELIMINARY DESIGN</td></tr><tr><td>10</td><td>2022-06-15</td><td>10</td><td>PRELIMINARY DESIGN</td></tr></table>	REV.	DATE	NUMBER	DESCRIPTION	1	2022-06-15	1	PRELIMINARY DESIGN	2	2022-06-15	2	PRELIMINARY DESIGN	3	2022-06-15	3	PRELIMINARY DESIGN	4	2022-06-15	4	PRELIMINARY DESIGN	5	2022-06-15	5	PRELIMINARY DESIGN	6	2022-06-15	6	PRELIMINARY DESIGN	7	2022-06-15	7	PRELIMINARY DESIGN	8	2022-06-15	8	PRELIMINARY DESIGN	9	2022-06-15	9	PRELIMINARY DESIGN	10	2022-06-15	10	PRELIMINARY DESIGN	<table><tr><th>DATE</th><th>SECTION</th></tr><tr><td>2022-06-15</td><td>A300</td></tr></table>	DATE	SECTION	2022-06-15	A300	SECTIONS <
	REV.	DATE				NUMBER	DESCRIPTION																																																	
1	2022-06-15	1	PRELIMINARY DESIGN																																																					
2	2022-06-15	2	PRELIMINARY DESIGN																																																					
3	2022-06-15	3	PRELIMINARY DESIGN																																																					
4	2022-06-15	4	PRELIMINARY DESIGN																																																					
5	2022-06-15	5	PRELIMINARY DESIGN																																																					
6	2022-06-15	6	PRELIMINARY DESIGN																																																					
7	2022-06-15	7	PRELIMINARY DESIGN																																																					
8	2022-06-15	8	PRELIMINARY DESIGN																																																					
9	2022-06-15	9	PRELIMINARY DESIGN																																																					
10	2022-06-15	10	PRELIMINARY DESIGN																																																					
DATE	SECTION																																																							
2022-06-15	A300																																																							

[illegible]



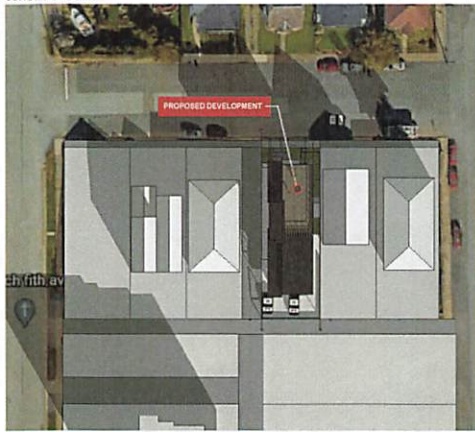
JUNE 21 @ 10 AM



JUNE 21 @ 12 PM



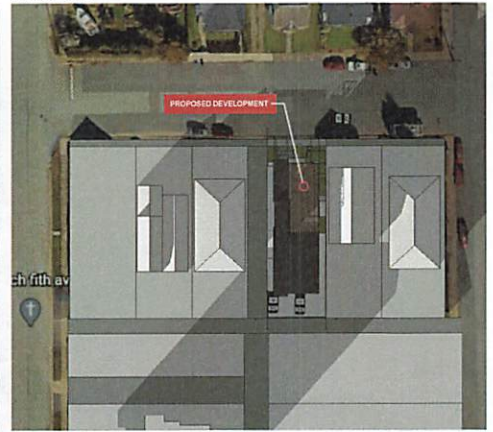
JUNE 21 @ 3 PM



DEC 21 @ 10 AM



DEC 21 @ 12 PM



DEC 21 @ 3 PM

 JOYCE RED TROTT ARCHITECTURE 4750 CLUNY DRIVE GARDENS, SA 5033 08 8333 3333 www.joycedesign.com.au		6 PLEX ATHOL STREET 4750 ATHOL STREET, PORT ADLAIDE, VIC	TITLE HER (MAY 2016) (MAY 2016)	PREPARED BY JOYCE RED TROTT ARCHITECTURE	DATE 08/08/2022	SHADOW STUDY A500
				CHECKED BY JOYCE RED TROTT ARCHITECTURE	DATE 08/08/2022	



CITY OF PORT ALBERNI NOTICE OF PUBLIC HEARING

Pursuant to Sections 464, 465, and 466 of the *Local Government Act*, notice is hereby given that a Public Hearing will be held in the Council Chambers at City Hall, 4850 Argyle Street, Port Alberni, BC on **Monday, August 8, 2022 at 6:00 pm** to gather public feedback on the following proposed bylaws.

1. "Official Community Plan Amendment No. 37 (4738 Athol Street - Rai), Bylaw No. 5046"
2. "Zoning Text Amendment No. T31 (CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street), Bylaw No. 5047"
3. "Zoning Map Amendment No. 48 (4738 Athol Street - Rai), Bylaw No. 5048"

CIVIC ADDRESS: 4738 Athol Street

LEGAL DESCRIPTION: Lot 1, Block 22, District Lot 1, Alberni District, Plan VIP197B PID: 009-262-962

APPLICANT: Hukam Holdings Ltd.

DETAILS: The City of Port Alberni has received an application to amend the Official Community Plan Bylaw and Zoning Bylaw to enable the development of a six (6)-unit, multi-family residential apartment building.

SUMMARY OF PROPOSED AMENDMENTS:

1. Official Community Plan Bylaw No. 4602:

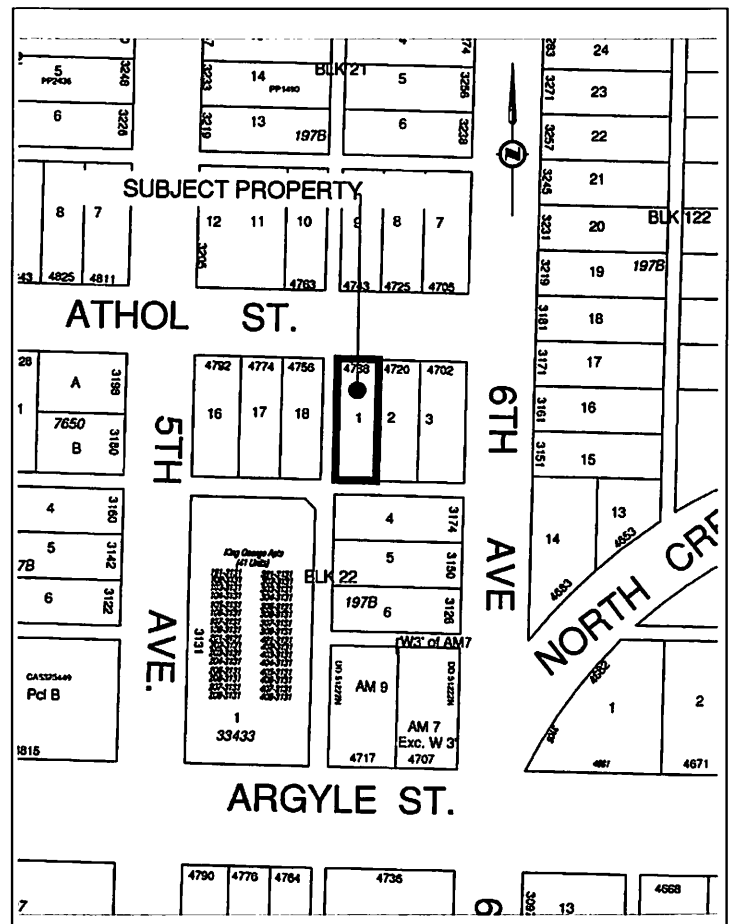
- i. Change the designation of the property from *Residential* to *Multi-Family Residential* on *Schedule A - Land Use Map*;
- ii. Add the property to *Development Permit Area No.1 Multiple Family Residential* on *Schedule B – Development Permit Areas Map*.

2. Map Amendment to Zoning Bylaw No. 4832:

- i. Change the zoning classification from *R2 One and Two Family Residential* to "*CD2-Comprehensive Development – Multi-Family Residential Infill – 4738 Athol Street*" on *Schedule A - Zoning Map*.

3. Text Amendments to Zoning Bylaw No. 4832:

- i. Add the following text to Establishment of Zones Section 5.1: "*CD2 – Comprehensive Development – Multi- Family Residential Infill – 4738 Athol Street*"
- ii. Add the new zone description "*CD2 – Comprehensive Development – Multi-Family Residential Infill – 4738 Athol St.*" to *Zoning Bylaw No. 4832* as a new section under *Part 5 Establishment of Zones*



The proposed bylaw amendments and supporting documentation, may be viewed at the offices of the Development Services Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from **July 27, 2022 to August 8, 2022** during regular business hours (8:30 a.m. to 4:30 p.m.).

Anyone who believes their interests may be affected by this application is invited to provide written comments to Mayor and Council for consideration **by Thursday, August 4th at 12:00 noon** as follows:

- Written submissions will be accepted by mail when addressed to 'Mayor and Council, 4850 Argyle Street, Port Alberni, BC V9Y 1V8'.
- Written submissions may also be hand delivered to the drop-box located to the left of the main entrance to City Hall.
- Written submissions may be emailed to council@portalberni.ca.

Submissions received after Thursday, August 4th 12:00 noon will be provided to Council for their consideration as late items up until the close of the Public Hearing. If preferred, the public may present directly to Council during the Public Hearing. If you wish to appear before Council please contact Corporate Services at corp_services@portalberni.ca

If you have any questions please contact Development Services at 250-720-2806 during regular business hours.

DATED AT PORT ALBERNI, B.C. this 27th day of July, 2022.

Brian McLoughlin, Development Planner

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
	<input type="checkbox"/> Other

Agenda
File # 3360-20-4738-771nd

Sara Darling

To: Val Baggaley; Brian McLoughlin
Cc: Sharie Minions
Subject: RE: Development application 4738 Athol Street

RECEIVED

MAR 28 2022

CITY OF PORT ALBERNI

From: Val Baggaley [REDACTED]
Sent: March 25, 2022 11:15 PM
To: Brian McLoughlin <brian_mcloughlin@portalberni.ca>
Cc: Sharie Minions <sharie_minions@portalberni.ca>
Subject: Development application 4738 Athol Street

****Warning** This email originated outside of Canada. Take caution when clicking links or opening attachments.**

I am writing this email as I have concerns about the proposed development on 4738 Athol Street. I live down the street from the proposed building. I bought a house in this area because it was a residential area with single homes, some of which have secondary suites. Over the past few years it has become a bit nicer, with residents taking more pride in their yards and homes. It is a quiet and lovely place to live.

Although I am fully in support of creating higher density housing, I believe it should be done with good policy. Rezoning this single-family lot to multi-family does not adhere to the City of Port Alberni's policies, even allowing for Comprehensive Development zones. I have concerns about the proposed amendment to the OCP to change land use designation from R2 to CD2 Comprehensive Development Multi-family Residential In-fill.

Here are my concerns:

1. Creating a CD zone for a single property

"Comprehensive development zones are 'one of a kind zones' usually created when rezoning larger sites" according to *Diverse Strategies for Diverse Communities - BC Climate Action Toolkit*. 4738 Athol is a single property, not a group of properties or even a larger site so it does **not** fit into this description. Creating a separate zone for an individual site should not be the intent of comprehensive development zoning. The word *zone* implies an area and not a one-off for a singular site. Creating ad hoc zones for individual properties is not good policy. It does not allow any sense of stability any single lot can be rezoned individually.

This area is zoned as R2. I bought my house knowing this area is zoned for one and two family residences and not for multi-family residences. The City of Port Alberni Bylaws on Zoning states that zoning "provides a level of comfort about what types of activities (land uses) and structures (types of housing or other buildings) might occur in their neighbourhood." I chose to buy a home in this area in a big part due to its zoning.

When I look at other CD zones in other cities, I find that they were developed for a large parcel of land, not a single small lot. Rezoning this single lot as a CD2 is not in the spirit of comprehensive development zones.

2. Infill size:

I am very concerned with the size of the proposed building on this small lot. The proposal does not at all conform to the existing zone sizes as per the chart below.

Table 5 – Comparison of Site Development Regulations for Existing Zones							
Site Development Regulations	R1	R2	R3	RM1	RM2	RM3	Proposed CD2
Minimum Lot area	600 m ²	500 m ²	350 m ²	500 m ²	840 m ²	1,120 m ²	444 m ² (443.07 m ²)
Minimum Frontage	15 m	15 m	10 m	30 m (+4 units)	25 m	30 m	12 m
Maximum Coverage	40%	50%	50%	40%	50%	50%	58%
Front yard	7.5 m	7.5 m	5.0 m	7.5 m	6.0 m	6.0 m	3.5 m
Rear yard	9.0 m	9.0 m	5.5 m	9.0 m	9.0 m	9.0 m	5.0 m
Side yard	1.5 m	1.5 m	1.5 m	1.5 m	5.0 m	5.0 m	1.5 m
Maximum Floor Area Ratio	0.5	0.5	0.5	0.5	0.8	1.2	1.34

I am alarmed that the CD2 lot is only slightly larger than the size for R3 - Small Lot Single Family Residence (R3 = 350 m² vs CD2=444 m²). This is a very small lot, even smaller than the R2 zoning requires. Having an apartment that could house up to 18 people (based on the number of bedrooms proposed) on a lot that is 444 metres squared is very dense.

Moreover, the lot in question is stated as being even smaller on a later page of the council minutes: 400 m² rather than 444 m², thus only marginally larger than that required for a small lot single family residence.

Clarity on the size of the lot is required!

8.2.2 Site Development Regulations

Minimum Lot Area

Minimum Frontage

Maximum Coverage

400 m²

(4,305 ft²)

12 m

(39.4 ft)

58%

Additionally, the frontage of this lot (12 m) is less than half of the minimum size for high-density multi-family zones (30 meters). In fact, it is only slightly larger than that required for a small lot single family residence.

The maximum coverage is higher than any existing zones. Although the drawings of the building make it look like it covers almost all of the lot, the chart provided says that it covers 58%. Even this is well above that allowed for any existing zones.

In conclusion, I am opposed to this rezoning. The proposed building is much too large for this small lot. I also disagree with using CD zoning for a single lot. on principle. Further, I believe there is a mistake in the lot area size. Is it 400 m² or 444 m²?

These are the concerns I would like to have addressed. Thank you for your time and careful consideration.

Thank you.

Val Baggaley

3181 6 Ave

Sara Darling

To: Val Baggaley; Brian McLoughlin; Sharie Minions
Subject: RE: 4738 Athol Street

RECEIVED

MAR 28 2022

CITY OF PORT ALBERNI

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input type="checkbox"/> Agenda	<input type="checkbox"/> Other _____

File # 3360-20-4738 Athol

From: Val Baggaley [REDACTED]
Sent: March 28, 2022 8:08 AM
To: Brian McLoughlin <brian_mcloughlin@portalberni.ca>; Sharie Minions <sharie_minions@portalberni.ca>
Subject: 4738 Athol Street

Hello. I wrote about my concerns with the rezoning of this property last week. This weekend I looked further at the minutes of the meeting and see that there is a reference to a public meeting in mid December.

I would like it noted that that meeting was not well publicized. I did not receive a letter about this meeting. Nor did I see anything on the property itself. I am new to living in Port Alberni but not new to owning my home here. As a new resident, I know I pay a great deal of attention to the neighbourhood as I am on a learning curve. I am certain I would remember receiving a letter if it came in the mail. I certainly noticed the one sent March 8 so I doubt I would have ignored a previous one.

How was this meeting publicized? Apparently I was not the only one who did not know about it; the minutes state that no one attended.

Thank you for your time.
Val Baggaley

RECEIVED

MAR 29 2022

CITY OF PORT ALBERNI

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☐ Agenda
File # 3360-20-4738 Athol

☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☒ Development Services
☐ Community Safety
☐ Other _____

4705 Athol St
Port Alberni BC
V9Y 3E2

March 28, 2022

City of Port Alberni
Planning Department
Mayor and Council

re: Development Application - Amendment - One and Two Family Residential to Comprehensive Development2 4738 Athol St

To Planning Dept; Mayor and Council -

Thank you for the opportunity to comment on this development application. As neighbours, we appreciate being acknowledged for our efforts over the years to adhere to existing regulations and bylaws which you work hard at and which we believe have helped to strengthen stability, cooperation and sense of community in the neighbourhood.

We are opposed to and lack confidence in quite a few aspects of this application. We are opposed for the following reasons -

1. The required meeting of developer and neighbours did not happen. As a result of this alone, the application needs a halt and re-wind. In his letter to you dated Feb. 7 '22 the developer states he sent invitations to the "indicated addresses" and he has indicated only 3 addresses. We certainly received no invitation, and we are not the only ones. One neighbour's invitation included no return address or contact information. Covid restrictions at the time made it a difficult time to ask people to gather. Again, this initial required meeting needs to happen; once the new OCP has been adopted, we hope to get an invitation as part of the developer's and your commitment to ensuring a "rigorous public process".

2. Timing - I have read in the report's meeting minutes "Any new applications that might trigger the creation of a new CD zone will be placed on hold until the OCP review is over". This should apply to 4738 Athol St to avoid any cart-before-the-horse planning. Not only is our OCP under review but at this time there is no definition of Comprehensive Development (CD) in the Port Alberni City website. (The following description of CD in the report is not enough: "A new CD zone provides the developer more flexibility in their design, and allows the City to streamline the application review...") Currently, Planning and Development Services state "The Planning Department manages... development applications through the implementation of regulations that support the public's vision of the community as established in the OCP". As we have not yet even received the Engagement Summary part of the OCP review process (not due until April), we are in agreement with your statement that we cannot proceed with the review of this zoning bylaw amendment until the new OCP is adopted and CD2 zoning has been vetted in light of it.

(In the meantime if we use the 'old' OCP and regulations to consider abstractly the nature of this application, bylaws which help us maintain the scale and character of a neighbourhood say a lot this size is big enough for a single family dwelling. In addition, at this time, the BC Climate Action Toolkit definition includes the preference for CD to be used when rezoning "larger" sites and does not suggest anything as large as a 6-plex on this size of lot.)

... p. 2

In addition to being opposed to the above aspects of the application, we lack confidence in the application due to the application's errors, inconsistencies and grey areas.

Examples -

- This development application has been called a number of different things -
CD2 - Multi-Family; Multi-Family; Multi-Family Residential; High-Density
- The original zoning has been called -
One and Two Family Residential; General Commercial (??)
- The developer / design company seems to have poor knowledge of the area they claim their project would benefit -- seen in the errors around compass directions.
- The drawings intended to demonstrate the shadows being cast by the project are inaccurate, in one case missing entirely in front of the new overheight building in question.
- The drawings of parking spaces, even given vanishing perspective, make the parking spaces around 5 feet tall
- The development application states "The subject property is located on a laneway intersection, which provides extra separation from neighbouring properties". We doubt it's appropriate to use Council property as justification for questionable setbacks.
- Minimum lot area 400 sq ft or 444 sq ft?
- The property coverage percentage is strange, based only on the first floor space not including covered parkades (?), especially given that the 2nd and 3rd floors are much larger than the first and that they hang over and are supported by the covered parkade which stretches to the back laneway. Are covered parkades supporting 2 floors not defined as 'coverage'?
- Does the developer have any responsibility to respond to our Housing Needs Assessment report?
- The developer is working as bearcubdevelopmentgroup and as Hukam Holdings (sometimes spelled Hukom). When it becomes appropriate to restart the application, it would be good to have a single point of contact.

We hope this letter communicates our opposition to the 4738 Athol Street application.

Thank you.

Chris Doman
Ann Cullen

RECEIVED

JUL 04 2022

CITY OF PORT ALBERNI

From: Kathy Moore
Sent: July 4, 2022 11:45 AM
To: Council <council@portalberni.ca>
Subject: Proposed bylaws 5046, 5047 and 5048 for 4738 Athol Street

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other

File # 3360-20-4738 Athol St.

Hello,

For July 11, 2022 public hearing.

I am the owner of 4702 Athol Street, the house on the corner. I am very much against the development of 4738 Athol Street into a six unit apartment building. One look at the artist concept immediately reveals several issues:

- the complex is simply too large for a small, narrow lot. It crowds the houses next to it.
- the complex represents a fire hazard to the houses next to it.
- the three story complex will significantly reduce the sunlight of its neighbours.
- there is no way there is room for parking for six households on that lot.
- the gravel fire lanes at the side and back of the complex are single lane emergency routes that are not suitable for use as a street which this complex will necessitate.
- the complex significantly changes the character of this residential block.
- this complex will reduce the value of the homes in this neighbourhood.
- the complex removes the ability to enjoy the privacy of our yards.
- six additional households in such close proximity will increase the noise levels of our neighbourhood.

I have reviewed the application and it stated that many homes in the immediate area are multi family. This is not true as a survey of the property's immediate neighbours would reveal.

It is my opinion that there are several suitable sites on nearby lower Argyle for this complex. It is concerning that this developer chose this site over a larger site. If it's a matter of economics that raises further concerns regarding the developers ability to build and maintain this complex.

Kind regards,

Kathy Moore

>

Sent from my iPad

RECEIVED

AUG 04 2022

CITY OF PORT ALBERNI

4756 Athol St
Port Alberni, BC
V9Y 3E1
August 1st, 2022

Mayor and Councillors
4850 Argyle Street
Port Alberni, BC
V9Y1V8

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other

File # 3360-2014-4738 Athol

Dear Madam Mayor and City Councillors,

In response to the call for concerns, we are writing as we believe that our interests are affected by the application to rezone the 4738 Athol Street property from "Residential" to "Multi-Family Residential" in the amendments to the Official Community Plan (OCP) No. 4602 and Zoning Bylaw 2014, No. 4832.

From the plethora of reasons and concerns after having spoken to fellow neighbours on our street, the focus remains on several key principals that this rezoning may breach. The main reasons are that the change is does not match the area, it is not cohesive, and would cause significant disruption to the neighborhood and its residents. Please strongly consider these concerns below.

Establishment

The homes on our street and in our neighbourhood are represented in Port Alberni's 4832 bylaw, where it states, " 5.12 The purpose of this zone is to establish and maintain quiet, low density neighbourhoods featuring single family and two-family dwellings."

The bylaw outlines regulations for single family residential, and as such, changing the land zoning would make zoning bylaws futile and immediately change the character of this neighbourhood. It would not be a residential street anymore with residential homes and houses.

Each home is currently, as the bylaw regulates, a low-density residence. The zoning in place now, fits with the neighbourhood and makes sense. The zoning does not need to be changed to the proposed 6-unit apartment complex as it is directly contradicting the description of the 4832 bylaw.

Additionally, there exists multi-family housing in this area already at 3131 5th Ave, 4196 Athol St, and 3231 3rd Ave. Options for multi-family housing have been fulfilled. We would like to see city council encourage more housing development in areas and neighbourhoods where it is actually needed instead of pushing for abrupt infill housing in established residential streets. Additionally, these apartment complexes have adequate space to support themselves and fit within the area.

The crux of this situation speaks for itself; Why is this lot of land zoned for residential use in the first place?

Clearly this is because Athol Street (and the surrounding area) is a residential street that creates a quiet, calm, and peaceful environment. Another answer can be found in Port Alberni's own 4832 bylaw, where it states, " 5.12 The purpose of this zone is to establish and maintain quiet, low density neighbourhoods featuring single family and two-family dwellings.". The proposed amendments contradict the description of the neighbourhood.

These are fundamental characteristics that people choose when considering the type of life one wishes to lead. Port Alberni prides itself on being a town where you go to raise a family and build a life for yourself in a typical single-family home versus being in an apartment found in more urban cities. That's why we chose moved here two decades ago. We chose to invest our lives, time, and money into this neighbourhood and town instead of a big city such as Vancouver or Victoria. We wanted to surround ourselves with like-minded people who also enjoy living a suburban lifestyle. Sharing interests (such as gardening, lawncare, hosting friends and family in the backyard) with the people around you creates a special connection and a strong sense of community. The neighbourhood is full of HOME owners and renters who have built relationships and share something in common which is caring for a house. Transient renters who do not have the same interests

We chose to buy this house 20 years ago knowing that the surrounding properties were houses as well. Unfortunately, we did not anticipate potentially living next to a 6-plex apartment because if we knew we would be living next to a 6-plex then we would have chosen to buy a different house. A primary factor often considered by people motivated to purchase or rent in a particular neighbourhood, is the degree of spaciousness, sunlight and privacy that was dictated by the zoning by-laws existing when the neighbourhood was developed. We pay taxes for the enjoyment of these qualities and we should be protected from a reduction in zoning standards. Residents should be able to rely upon a municipalities former zoning policy and it feels like is a breach of trust when they are diminished.

It is even acknowledged in the Staff Report that without the CD2 zoning, the property "would otherwise not be permitted due to the dimensions of the lot and limits of existing zone."

Cohesiveness

When looking at the renderings of the proposed 6-unit apartment complex, it is obvious that it just does not make sense. The lot is too small for multi-family housing. Our lot, which is similarly sized to 4738 Athol St, is about 4,720 sqft which does not even meet the minimum lot area for a 2-family dwelling let alone the minimum lot area of 12,056 sqft for multi-family residential use. Our concerns are supported by the clear guidelines found in Port Alberni's Zoning Bylaws.

<https://portalberni.ca/sites/default/files/users/cfoden/Bylaw4832-R2-OneAndTwoFamilyResidential.pdf>)

<https://portalberni.ca/sites/default/files/users/cfoden/Bylaw4832-RM3-HighDensityMultipleFamilyResidential.pdf>)

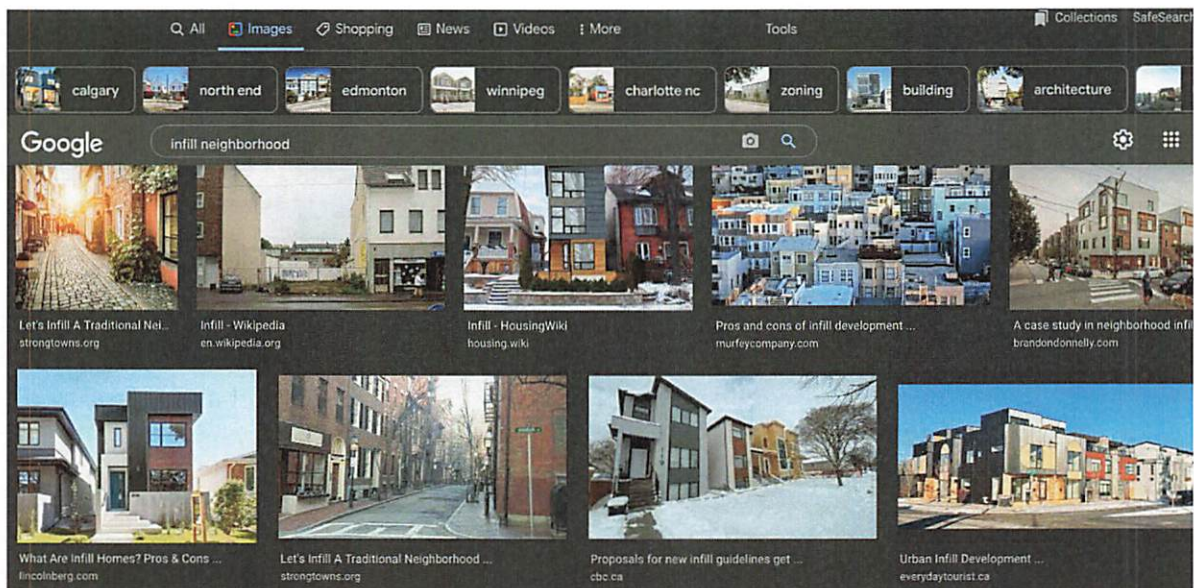
In “Table 5 - Comparison of Site Development Regulations for Existing Zones”, the proposed CD2 does not even fit with any of the pre-existing zoning minimum lot areas OTHER THAN for a SMALL LOT SINGLE FAMILY RESIDENTIAL. Out of the 6 types of zoning (R1, R2, R3, RM1, RM2, RM3), the property at 4738 Athol Street is suitable for 1 type of zoning.

The fact that the proposed amendments require NUMEROUS variances concerning frontage, minimum lot space, height, and exceptions should be indicative to Councillors that the proposed 6-plex apartment does not align with the standards for this type of high-density housing. In fact, this makes total sense because the property is zoned for single family residential.

The apartment complex is not cohesive and does not belong in the middle of a residential street. Consequently, the 6-unit complex would visibly change the aesthetics of the neighbourhood by standing out like a sore thumb. It would be so obvious that one is not like the others when observing the homes on the street. The planning seems nonsensical and quite frankly invasive. A rooftop balcony that looks down on surrounding houses feels like an invasion of privacy and a loophole to bypass the minimum frontage and setbacks.

Additionally, it is stated in the proposed CD2 zoning “(f) Permanent roof top structures are not permitted except where required for access.”. Does this not contradict the whole idea of a rooftop balcony?

When Googling infill housing, there is a stark difference between the image results and what Athol Street visible looks like. Take note that word such as “urban” appear. This is not characteristic of the neighbourhood. Additionally, you can see that major cities such as Calgary and Edmonton show up. Port Alberni does not match these cities.



Does the future of Port Alberni housing look like having an apartment complex on every block? Where do people go if they want to live in a suburban community? Are city Councillors prepared to set a precedent for similar applications in the future? Would city Councillors approve similar applications? Would city Councillors approve similar applications if their own homes and properties were next door? Would the Advisory Planning Commission staff recommend similar applications if their own homes and properties were next door? Ultimately, we as residents will continue living here in the future and will be most affected by these potential developments.

We implore members of city council to have empathy and imagine themselves in our shoes as residents who will continue living here and we will be the ones who have to live for the rest of our lives with the negative impacts of these proposed 6-plex apartment.

Why would the property at 4738 Athol Street receive special zoning regulations when the rest of the surrounding properties and home have to and have been abiding by the city's bylaws? There is no difference between the property at 4738 Athol Street and adjacent and similarly zones properties. Why even have any of the R1, R2, R3, RM1, RM2, RM3 zoning bylaws? If one property gets special and unique zoning, then everyone should. This would make zoning bylaws futile as mentioned before.

Would the city allow a 6-unit apartment complex to be built in the middle of the street, surrounded by residential houses in Westporte Place? I would think not to preserve the suburban community feel. This proposal for a 6-unit complex fails to respect the proximity between houses, making the application seem inconsiderate of the residents that are already living here.

From observing other multi-family housing in Port Alberni and comparing them with the proposed building developments, there are clear differences that have an impact. Other multi-

family housing complexes are not located in the middle of a residential road; rather, they are located on a corner with sufficient land and space between other houses. Their location is intentional and considers the need for extra street parking (by being on a corner) in addition to built-in parking lots. For example, this is seen at 3131 5th Ave and 4196 Athol St.

Disruptive

Ultimately, the redevelopment of 4738 Athol St from "Residential" to "Multi-Family Residential" would negatively impact and disrupt the neighbourhood starting from construction and going beyond after its completion. With the lot of land being so small, how big of a parking lot would be able to fit on the property? With 11 bedrooms in the 6-plex apartment, how would street parking be affected by the potential of 11+ residents' vehicles and guests visiting?

The recommendation by the APC that the 1 parking space per unit is inadequate, especially when 2 of the spaces will be small car only. Not everyone has a car that qualifies as "small", and further would a tenant be chosen based on if their car fitted in the parking space? In the June 13, 2022 Staff Report it is stated that "The average household is two people in Port Alberni, and the number of households containing only one or two people has steadily increased in Port Alberni.". One parking space for an average household of two people is inadequate, especially in a society where men and women are both working and driving to work. Existing residents on Athol Street will 100% feel the effects and strains of the lack of parking space resulting in coming home after work and having to park a block away then walking back to our residential homes. This only happens in urban cities like Vancouver not Port Alberni.

An attractive feature of Port Alberni is that residents do not have to compete for street parking like in Victoria and Vancouver. Of course, the street in front of a house is public property, but it is a commonly known expectation when living in a small town that residents can rely on the space in front of their homes for parking. Again, when people were choosing where to buy their houses, a significant part of their decision was the neighborhood (people, schools, community areas, etc.). Now, people who are not part of the community want to come in and change the very aspects of the neighborhood that originally attracted current residents.

Madam Mayor stated on June 13th, 2022 that "[I] understand some concerns coming from neighbors and I think that when we have a shift in a neighborhood, we will always hear some of that". This is really dismissive to us as long-term residents of Athol St. There has been NO shift in the neighbourhood. The area has been filled long-term homeowners and we as residents who actually physically live here, we can visibly see the continuing that with new neighbours purchasing their new single-family home in a residential neighbourhood. It is really irresponsible to make such a comment without actually having the knowledge of the area. We as residents had VALID concerns.

With the complex being so tall, an important concern is how is our access to sunlight going to be affected? Taking care of a yard and gardening is an iconic experience that people expect when living in a residential neighbourhood. This experience will be taken away when the apartment complex is built and blocks the sunlight needed to grow plants. If plants cannot thrive it

disadvantages the environment. We take immense pride in our backyard garden; it literally feeds our family fruits and veggies. Our quality of life would lessen from the impact of the proposed 6-plex apartment causing shadows and affecting our ability to grow food. This would all be easily avoided if a home was built that aligned with the existing zoning bylaws, thus matching surrounding homes, thus eliminating all these concerns and problems.





Humans need sunlight as well, and when you live in a valley, where it is grey and rains for many months of the year, the times where there is sunshine are precious. Not being able to enjoy the sunlight in your own backyard will eventually begin to affect you physically and mentally.

The models of shadowing from the applicant show that adjacent neighbours will have reduced access to sunlight. This is unacceptable, there is no justification for this. There will be no “fun in the sun”.

Will the environment suffer due to the complex? With potentially 6+ vehicles, there will be more CO₂ emissions. Will our family garden suffer from increased pollution? Vehicles that will utilize the parking space that is only accessible by the dusty alleyway, creating dust and noise pollution. Will this be a pet-friendly complex? With no yard area for the complex, will neighbouring residents have to endure animal feces and urine on their own lawns? Will the complex be smoke-free? Resulting in tenants smoking outside affecting air quality? Will there be an increase in crime in the area? Presently, when we have packages delivered, they can sit all day without being stolen; will we see that change?

Another concern is, would this apartment complex affect our property value? If residents wanted to sell their properties, would there be more difficulty finding a buyer? There is already one big apartment complex behind us, but what if there is another complex to the side. It would make us uncomfortable, so I find it hard to imagine a buyer wanting to buy a residential house where there are big apartment complexes next to 2/4 (50%) sides of the house. People buy houses to have privacy compared to living in an apartment or condo. There will be no privacy for the houses next to the proposed 6-plex apartment containing 3 storeys with an invasive roof balcony looking down directly into neighbours' yards.

Would members of city council choose a home that is situated next to a 6-plex apartment over a home that is not next to such an apartment? We fail to imagine anyone who would choose the former let alone think about purchasing such a home.

The property at 4743 Athol St has been for sale since March, 2022, and is still for sale. There is no doubt in our minds that being across from a proposed 6-plex apartment could affect the desirability of the property, thus affecting its ability to sell on the market. Most people invest in their home as an asset that can be used in the future situations. Negatively affecting the homes on Athol St to sell would be negatively affecting the livelihoods of the residents on this residential street.



Arcus Real Estate Team is in Port Alberni, B.C. Canada.

...

16 March · 🌐

🏠 Busy day putting up signs! Just listed 4743 Athol Street 🏡 1 bedroom, 1 bathroom home perfect for the first time buyer or investor! Great tenant in place 😊 \$299,000 making this one of Vancouver Islands most affordable single family homes 🤔 #callingfirsttimebuyers #investoralert #justlisted #listingagent #maketherightmove #arcusrealtors #arcusrealestateteam #portalbernirealestate



We hope to see a more appropriate home for the area be built at 4738 Athol Street. There is a strong need for rental houses, especially with young families. A single family home with a 2 or 3 bedroom legal suite would “meet the needs of young families” as stated in the June 13th, 2022 Staff report.

Thinking long term, would this trigger an incentive for developers to scoop up residential properties not only in this area, but all of Port Alberni to then in turn make for-profit rentals. Outbidding residents. Does this not take away and disadvantage up-and-coming Port Alberni

families looking for stability? Does city council support the gentrification of this neighbourhood or can we, as residents of Port Alberni, rely on you to support us?

As long-term residents who have invested our time, energy, funds, and lives into the community of Port Alberni, I hope our questions and concerns are genuinely taken into consideration when deciding if the application proceeds.

Sincerely,
Chau Quach, Phat Huynh, Kaylee Huynh & Lily Huynh
Residents of 4756 Athol St.

RECEIVED

AUG 04 2022

From: matthew pearson

Sent: Wednesday, August 3, 2022 9:19 PM CITY OF PORT ALBERNI

To: Council <council@portalberni.ca>

Subject: Re: proposed bylaw amendment @ 4788 Athol St, Port Alberni

<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Economic Development
<input checked="" type="checkbox"/> Mayor	<input type="checkbox"/> Engineering/PW
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Parks, Rec. & Heritage
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> Development Services
<input checked="" type="checkbox"/> Corporate Services	<input type="checkbox"/> Community Safety
<input checked="" type="checkbox"/> Agenda	<input type="checkbox"/> Other

File # 3360-20-4788 Athol St.

Hello,

I am writing to voice my opposition to the proposed bylaw amendments for the address of 4788 Athol St, Port Alberni. While I am generally in favor of increased population density, the proposal for a six-plex on such a tiny plot of land merits further investigation.

The residents in this neighborhood enjoy a quiet, traffic free life where children and pets are able to wander safely. This neighborhood recently expanded the population density with a fairly large multi unit apartment building at 4th and Athol just recently, has a permanent large scale apartment building at 5th and Argyle, and an extra development here, on a quieter street, puts the rest of the residents at a lesser quality of life than they would have had. This lot was not intended for a six plex, and would be a hassle for the residents in terms of parking as well, as six units would not be able to solely park on that property.

In finishing, I formally request that this amendment to bylaws to proceed upon construction of this property be denied and that the spirit of the bylaw and this former neighborhood be kept as they currently stand.

Thank you for your consideration,
Matthew Pearson.

Tanis Feltrin

From: thomas pearson [REDACTED]
Sent: August 3, 2022 9:14 PM
To: Council
Subject: 4788 athol st amendments

☒ Council
☒ Mayor
☒ CAO
☐ Finance
☒ Corporate Services
☒ Agenda
☐ Economic Development
☐ Engineering/PW
☐ Parks, Rec. & Heritage
☐ Development Services
☐ Community Safety
☐ Other
File # 3360-20-4738 Athol St.

****Warning**** This email originated outside of Canada. Take caution when clicking links or opening attachments.

Hi

I moved here because it was a nice neighborhood and over the past 5 years I've been here crime has been going up. I also think what they are suggesting will devalue my property!
So I don't think it's fair to me as a home owner that you want to give the lot across from me special privileges,,, nor do any of my neighbours Sincerely thomaspearson

Sent from my iPhone

RECEIVED

AUG 04 2022

CITY OF PORT ALBERNI