

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

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**PRESENT:** Mayor S. Minions  
Councillor R. Corbeil  
Councillor D. Haggard  
Councillor R. Paulson  
Councillor H. Poon  
Councillor C. Solda  
Councillor D. Washington

**Staff:** T. Pley, Chief Administrative Officer  
S. Smith, Director of Development Services | Deputy CAO  
T. Slonski, Director of Corporate Services  
M. Wade, Manager of Planning  
B. McLoughlin, Development Planner  
S. Darling, Deputy City Clerk

**Gallery:** 25

**CALL TO ORDER & APPROVAL OF THE AGENDA**

*The meeting was called to order at 6:00 pm.*

*MOVED AND SECONDED, THAT the agenda be approved as circulated.*

**CARRIED**

Chair Minions noted that the Public Hearing is held pursuant to section 464, 465 and 466 of the *Local Government Act*. Chair Minions then invited the Director of Corporate Services to provide a summary of the application.

**1. Description of the Application:**

The Director of Corporate Services provided a summary of the application as follows:

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’.

2. **Background Information from the Development Services Department:**

The Development Planner provided background information regarding the proposed amendments by way of summarizing the report of June 13, 2022.

3. **Correspondence:**

- 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

4. **Late Correspondence Regarding the Matter:**

1. Email dated August 8, 2022 from J. Banks

5. **Questions/Comments from Council:**

Questions from Council included the following:

- What is your experience with comprehensive developments of this nature with regards to placement, best practices, etc.?

6. **Chair Minions called for input from the public:**

Kaylee Huynh, Athol Street commented as follows:

- Believes there are conflicts of interest present with Council.

Val Baggaley, 6<sup>th</sup> Avenue commented as follows:

- Comprehensive development zones should be placed on larger sites.
- The present area is zoned R2 not multi-family.
- The infill size is half of that of regular sites.
- Allowable coverage amount of 58 percent of lot does not include the overhang of the proposed building.
- Notification was not received and required property signage didn't have information regarding Public Hearing date until a few days ago.
- The rescheduling of the Public Hearing was not adequately communicated.

Kathy Moore, Athol Street commented as follows:

- Proposed development completely shadows neighboring yard/garden.
- Most residences in the neighborhood are single family homes.
- The development would negatively impact the mood of the neighbourhood.
- Lanes will need to be utilized by emergency vehicles and are not presently paved.

Scott Staley, 5<sup>th</sup> Avenue commented as follows:

- Beautiful complex, wrong location.
- Dwarfs neighboring properties.
- Increased parking will cause issues.

Graham McDonald, Dunbar Street commented as follows:

- Agrees with need for hi-density housing, shares concerns over the size of lot.
- Official Community Plan does not offer enough guidance on where and when a Comprehensive Zone may be developed.

Suzanne Green, Dunbar Street commented as follows:

- Use of Comprehensive Development zones stems from Climate Action and though the zone has been made available to municipalities, it is not made for a single small lot.
- The Official Community Plan [OCP] provides no guidance.
- The development is in conflict with the current zoning regulations.
- City appears to be providing one-sided projection of development.
- Perhaps complete the OCP and upgrade planning bylaws first.
- 15 resident letters were received in relation to the development and are not fully reflected in the staff report.
- The process needs to be followed and communicated.

Todd Patola, Lathom Road commented as follows:

- Comprehensive Development zone is a particular use and in this case being mis-used.
- The community needs further density but also needs to follow a specific process as would be outlined in an Official Community Plan [OCP] of which the City is currently conducting a review and update.
- It was noted that Council desires to continue current nature of neighborhoods, this development would not align with that sentiment.
- How many developments are going to be approved and constructed before making a long-term plan, before the potential for other small properties to be rezoned at high density without an updated OCP in place?
- On the basis that Council proceed simply because they are allowed, doesn't mean they should and puts all properties at risk of being redeveloped.
- The shadow analysis provided is misleading given the time of year it was conducted not accurately reflecting the times of year that do not have extended daylight.
- What is the City's experience with high density developments?
- Is there a flaw in the process given the previous public comments?

- Recommend instead of slipping in an individual application, review the process and wait to have a cohesive process within the updated OCP.

Richard Andrew, 6<sup>th</sup> Avenue commented as follows;

- Opposed to a 6-unit apartment building in this area.
- The building, so high in comparison to neighboring buildings and close in proximity to surrounding family homes, would be an eye sore.
- Added concentration of additional people and associated parking could have a negative effect on the neighborhood.
- Concerns over building becoming underregulated and undermanaged.

Suzanne Green, Dunbar Street commented as follows:

- Process appears imbalanced.  
If the resounding comments from neighbours and residents are in opposition, why is the City not reflecting that?

Chair Minions re-stated that the intent of the Public Hearing is for Council to hear from the public and those who believe that their interest in property is affected by the proposed bylaws.

Graham McDonald, Dunbar Street commented as follows:

- Interested in the numbers of correspondence received that are in support versus in opposition of the development?

Kathy Moore, Athol Street commented as follows:

- Why not develop other more suitable properties with this development?

Scott Staley, 5<sup>th</sup> Avenue commented as follows:

- Does staff have experience with other developments of this proportion on a similar lot size?

Gail Bull, Athol Street commented as follows:

- Lives two properties down on a similar lot size and can't imagine that number of units and people living in that space.
- Parking a concern.
- Building will loom over neighbouring properties.

Thomas Pearson, Athol Street commented as follows:

- Will this affect the crime rate in the area?

Annette Agar, Athol Street commented as follows:

- Has previously lived in areas with rental and high-density units and crime rate was prevalent and upsetting.
- Purchased this home as a retirement home and privacy will be affected negatively with the construction of this development.

Kaylee Huynh, Athol Street commented as follows:

- Staff report of June 13<sup>th</sup> states Comprehensive Development Zones are to be used for an area where it would not otherwise be permitted.
- Other areas in town where similar developments reside match those of their neighbouring properties and are placed on larger lots.
- The *Alberni Valley Housing Needs Assessment* reports that the vacancy rate in Port Alberni is on par with the national average.
- The allotted parking spaces are not adequate.
- Staff report notes alternative options available to Council of 'do not proceed' or 'provide alternate direction'. Would like to see alternate direction provided.
- Single family homes surround the development, this development does not 'fit in'.
- Site specifications noted in the staff report for lot sizes only fits single family residential.
- Quality of life for those living in the neighbourhood will be impacted.
- The neighbourhood meeting planned for December 2021 was largely unattended due to snow.
- Access to arterial streets will be limited with additional parking on streets.
- Zoning states permanent roof structures are not permitted except for access – is the patio space presented in the development not a permanent roof structure?
- An alternative and adequate transition would be to encourage more legal suites.
- A greater impact on housing needs would be increased high rise buildings.

**7. Closing Remarks by the Chair:**

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.

Before closing the Public Hearing, Chair Minions called for a second time for any further speakers on any of the matters contained in the proposed bylaws.

Graham McDonald, Dunbar Street commented as follows:

- Wonders if the rest of the community were aware of this proposed development what the consensus would be?

Councillor Washington inquired what the rough number of residences within the 75 metre notification radius was?

Todd Patola, Lathom Road commented as follows:

- Were mail outs sent to owners and/or also to renters?
- Does the 90 pieces of correspondence distributed include the 40 or more people who would have been under one address?

Suzanne Green, Dunbar Street commented as follows:

- Are notices sent to the civic address or tax payer?

Councillor Haggard asked of there is a possibility to reduce the development to 2- storeys?

Chair Minions called for a third and final time for input from the public.

There being no further speakers, Chair Minions declared the Public Hearing closed.

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

*MOVED AND SECONDED, THAT this Public Hearing terminate at 7:30 pm*

**CARRIED**

  
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Twyla Slonski, Corporate Officer