



REPORT TO COUNCIL

DATE: December 9th, 2011 **REPORT:** DEV11-112
FROM: Alison Walker, Planner **FILE:** 3360-20/R11-08
SUBJECT: Zoning Amendment Application to Rezone 3652 & 3664 Third Avenue from Low Density Residential (R-2) to Medium Density Residential (R-3)

RECOMMENDATION:

THAT Council gives First and Second Readings to "Bylaw No. 1677 – Town of Smithers Zoning Bylaw No. 1403 Amendment No. 11-08";

AND THAT Bylaw No. 1677 proceed to Public Hearing.

BACKGROUND:

The application was received on November 8th, 2011 (see attached). The subject property is located on 3652 & 3664 Third Avenue, legally described as Lots 13-17, Block 31, District Lot 5289, Range 5, Coast District Plan 1054 (see attached map). The applicant would like to rezone the property from Low Density Residential (R-2) to Medium Density Residential (R-3) in order to increase the permitted residential density necessary to construct an 8-unit strata-titled apartment.

The subject property is undeveloped and comprised of five lots with a total area of 1,450 m² (15,608 ft²). The property is serviced with water (in the lane) and sanitary sewer (Third Avenue). Surrounding land uses include single family homes, Hudson Apartments (20 units), Muheim Elementary School and Baristas Coffee Shop. The subject property is accessed from Third Avenue and within a block from the downtown shopping area.

CAO	<input type="checkbox"/>	Dir/DS	<input type="checkbox"/>	Dir/FIN	<input type="checkbox"/>	Agen Date: January 10 th , 2012
Dir/CS	<input type="checkbox"/>	Dir/WO	<input type="checkbox"/>	Bldg Ins	<input type="checkbox"/>	In-Cam Date:
Admin Asst.	<input type="checkbox"/>	Fire	<input type="checkbox"/>	Planner	<input type="checkbox"/>	Agenda Placement: Bylaws
Dir /Rec	<input type="checkbox"/>	Air/Mgr	<input type="checkbox"/>	PCSO	<input type="checkbox"/>	Other:

Official Community Plan

The proposed zoning change does not require an Official Community Plan amendment as it is consistent with the existing Mixed Residential designation on the property. The intent of this designation is to encourage a compact mix of housing types and tenures with densities of up to 30 dwelling units per acre (equates to 10 units on the subject property) that are within walking distance of the downtown and key amenities. Supported land uses and housing types include duplexes, street fronting row homes, low rise apartments and home based businesses.

The property is located in the Form & Character Development Permit Area where the design guidelines for multi-family residential buildings apply. A Form and Character Development Permit is required prior to the issuance of a Building Permit.

Zoning

The existing R-2 zone provides for a mix of housing types, including single family dwellings, two-family dwellings and townhousing (see attached). The maximum density permitted in the R-2 zone is one dwelling per 284 m² (3,057 ft²), therefore the maximum number of units that is permitted is five.

The proposed R-3 zone accommodates a mix of multi-family residential dwellings including townhousing and low-rise apartments (see attached). The maximum density permitted in the R-3 zone is one dwelling per 162 m² (1,743.8 ft²) of parcel area. This density is required to permit the proposed eight-unit apartment on the subject property.

DISCUSSION:

The development of a multi-family residence will add to the local housing mix and increase housing options needed to accommodate new residents, meet changing needs of an aging population and provide lifestyle choices. Furthermore, encouraging residential density and growth immediately adjacent to the downtown core is supported by the OCP and key to fostering downtown vibrancy and overall community sustainability.

As part of the approval process, public notices letters will be mailed out to adjacent property owners within 60-meters of the subject property and two newspaper advertisements will be placed in the Interior News to notify the public of the application and the public hearing date.

Based on the above, staff support the recommendation.

The Advisory Planning Commission reviewed this application at its December 8th meeting and made the following motion:

MOVED

THAT the Advisory Planning Commission recommend that Council proceed with the application to rezone from Low Density Residential (R-2) to Medium Density Residential (R-3) for the properties legally described as Lots 13-17, Block 31, District Lot 5289, Range 5, Coast District Plan 1054.

CARRIED UNANIMOUSLY.

POLICY CONSIDERATIONS:

The recommendation is consistent with OCP policies.

ALTERNATIVES:

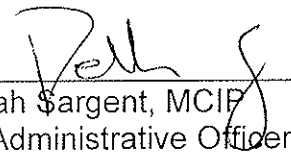
1. Do not proceed with first and second readings of Bylaw No. 1677 – Town of Smithers Zoning Bylaw No. 1403 Amendment No. 11-08”;

Respectfully submitted by:

Submission approved by:



Alison Walker, MCIP
Planner

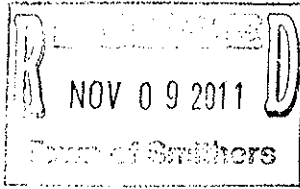


Deborah Sargent, MCIP
Chief Administrative Officer (CAO)

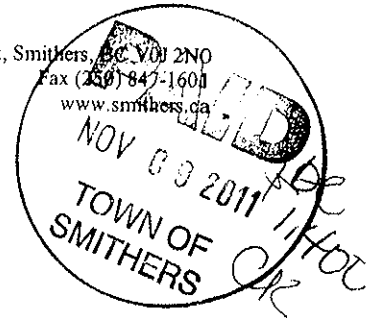
Attach.

AW
File:

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PO Box 879, 1027 Aldous Street, Smithers, BC V0J 2N0
Telephone (250) 847-1600



DEVELOPMENT PROPOSAL APPLICATION

APPLICATION TYPE:

- Joint Official Community Plan & Zoning Amendment (\$1,500)
- Zoning Amendment (\$1,000)
- Temporary Use Permit (\$600)
- Development Variance Permit (\$400)
- Board of Variance (\$400)
- Official Community Plan Amendment (\$1,200)
- Environmental Development Permit (\$400)
- Form & Character Development Permit (\$400)
- Development Permit Amendment (\$200)

APPLICANT INFORMATION

APPLICANT	REGISTERED OWNER(S)
Name(s): <u>BRENT WEME</u>	Name(s): <u>BPW HOLDINGS LTD.</u>
Mailing address: <u>1355 WEME RD.</u>	Mailing address: <u>1355 WEME RD.</u>
Phone: <u>(250) 847-2212</u>	Phone: <u>(250) 847-2212</u>
Fax/Email: <u>brentweme@gmail.com</u>	Fax/Email: <u>brentweme@gmail.com</u>

SUBJECT PROPERTY INFORMATION

Public address: <u>3652 and 3664 - 3rd Ave</u>	
Legal description: <u>lots 13, 14, Plan 1054, Block 31, DL 5289, R6.5 and lots 15, 16, 17, Plan 1054</u>	
Description of the present use of the property: <u>Residential property - Vacant lots</u>	<u>block 31, DL 5289, LD14, R6.5</u>
Existing OCP designation: <u>MIXED RESIDENTIAL</u>	Existing zoning designation: <u>R2</u>
Proposed OCP designation: <u>MIXED RESIDENTIAL</u>	Proposed zoning designation: <u>R3</u>

PROPOSAL DESCRIPTION (supplemental letter of intent/rationale is encouraged)

See attached letter of intent/rationale

ATTACHMENT CHECKLIST

1) PLEASE ATTACH THE FOLLOWING FOR ALL APPLICATIONS:

- Letter of authorization if the applicant is other than the registered owner(s).
- Site profile in accordance with the *Environmental Management Act* and *Contaminated Sites Regulation*.
- Site plan (including 1 set of reduced 8.5x11 plans) showing:
 - Location of existing and proposed buildings and structures, lot dimensions & setbacks.
 - Parking areas, loading space, access/egress, garbage areas & landscaping.
 - North arrow & scale.
 - Measurements in metric (imperial measurements may also be included).
- Supplemental letter of intent & rationale is strongly encouraged but not required.
- Other information as necessary to assess the development proposal.

In addition to the above, the following information may be required.

2) JOINT OCP & REZONING AMENDMENT APPLICATIONS:

- Initial to acknowledge sign posting requirements as specified by the Town of Smithers: BW (initial).

3) ENVIRONMENTAL DEVELOPMENT PERMIT APPLICATIONS:

- Plans showing:
 - Toe of slope and top of bank;
 - Location of watercourses and any watercourse setback areas that are located on or that abut the site;
 - Existing and proposed grades, including details on proposed retaining walls;
 - Floodplain areas;
 - Areas to be cleared, areas of cut and fill and proposed sequencing/timing.

4) FORM & CHARACTER DEVELOPMENT PERMIT APPLICATIONS:

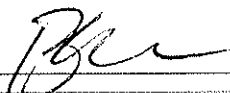
- Elevation drawings illustrating all sides of the building(s) & including proposed signage details.
- Exterior samples and materials.

AUTHORIZATION

I, as the applicant or approved agent, I hereby make application in accordance with the above-stated information and declare that the statements are true and correct.

I understand that this application form is a public document and that any and all information contained in it, including personal information as defined in the *Freedom of Information and Protection of Privacy Act* of BC, is open for inspection by the public and may be reproduced and distributed to the public as part of a report(s) to Council or for purposes of a public hearing.

I acknowledge that fees as per the Town of Smithers Development Procedures Bylaw No. 1643 do not imply or guarantee application approval.

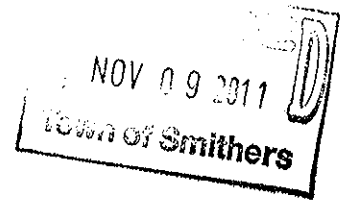
Applicant Signature: 

Date: 9 November 2011

Your personal information is maintained in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have any questions regarding the use of your personal information, please call the Director of Corporate Services for the Town of Smithers at 250-847-1600.

BPW HOLDINGS LTD.

1355 Weme Road
Smithers, BC
V0J 2N6



November 1, 2011

Town of Smithers
PO Box 879
Smithers, BC
V0J 2N0

Re: Proposal Description – Letter of Intent/Rationale

To whom it may concern:

BPW Holdings Ltd. recently purchased bare land located at 3652 and 3664 – 3rd Ave across from Muheim elementary school. Currently the land is zoned R2 residential and we request that it be re-zoned to R3 residential so that we can construct an 8-unit two storey apartment building.

The proposed 8-unit apartment will be strata-titled so that we have the option of either selling or renting individual units. This apartment building will provide affordable housing for first time homebuyers and/or rental units for potential tenants. The exterior finishes of the apartment building along with the landscaping will be designed to fit into and compliment the existing neighborhood. This proposed multi-family unit would ease the current shortage of affordable housing and rental units, and increase the residential density near the downtown core.

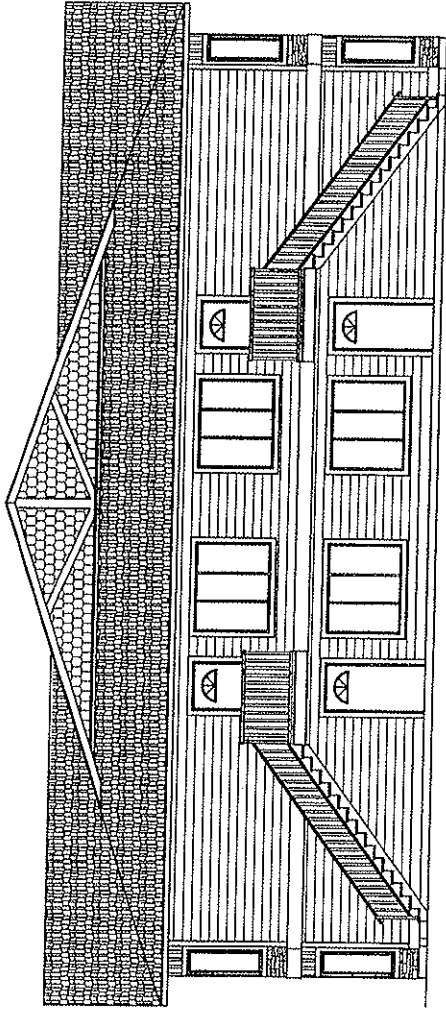
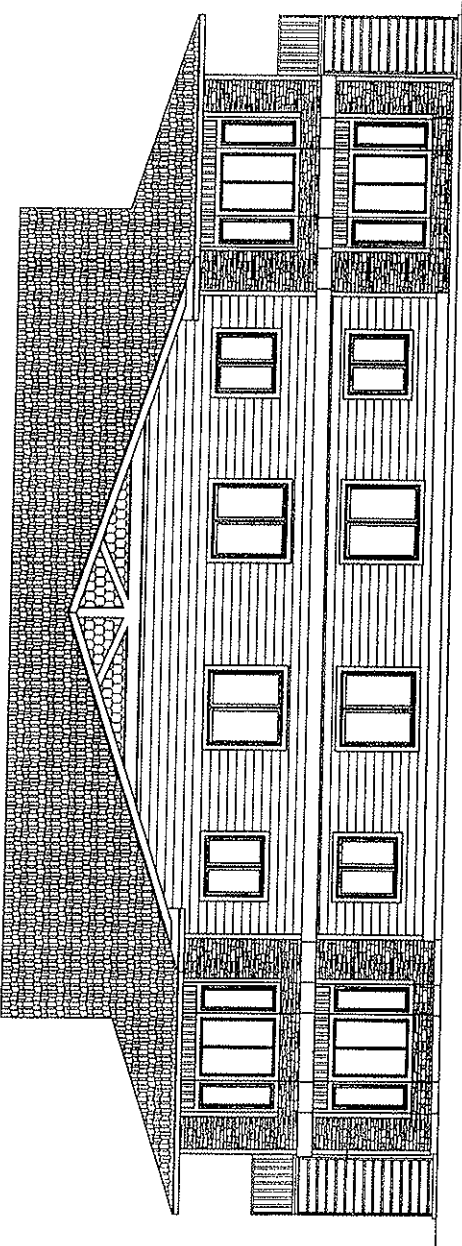
This 8-unit apartment will be constructed to exceed the Energuide-80 standard, and the units will be classified as CMHC Green Homes. Constructing to this standard will decrease energy consumption and provide affordable housing for home owners/tenants.

Included with this application letter is a site plan, and elevations of the proposed 8-unit apartment illustrating what the final project will look like. We hope to begin construction as soon as practical in the spring of 2012. Please contact the undersigned if you have questions or concerns regarding this proposed development.

Best Regards,

Brent Weme
President – BPW Holdings Ltd.
(250) 847-2212 or brentweme@gmail.com

NOV 09 2011
Smithers



SEBENT (OPESTI) ELEVATION
SOUTH ELEVATION SIMILAR

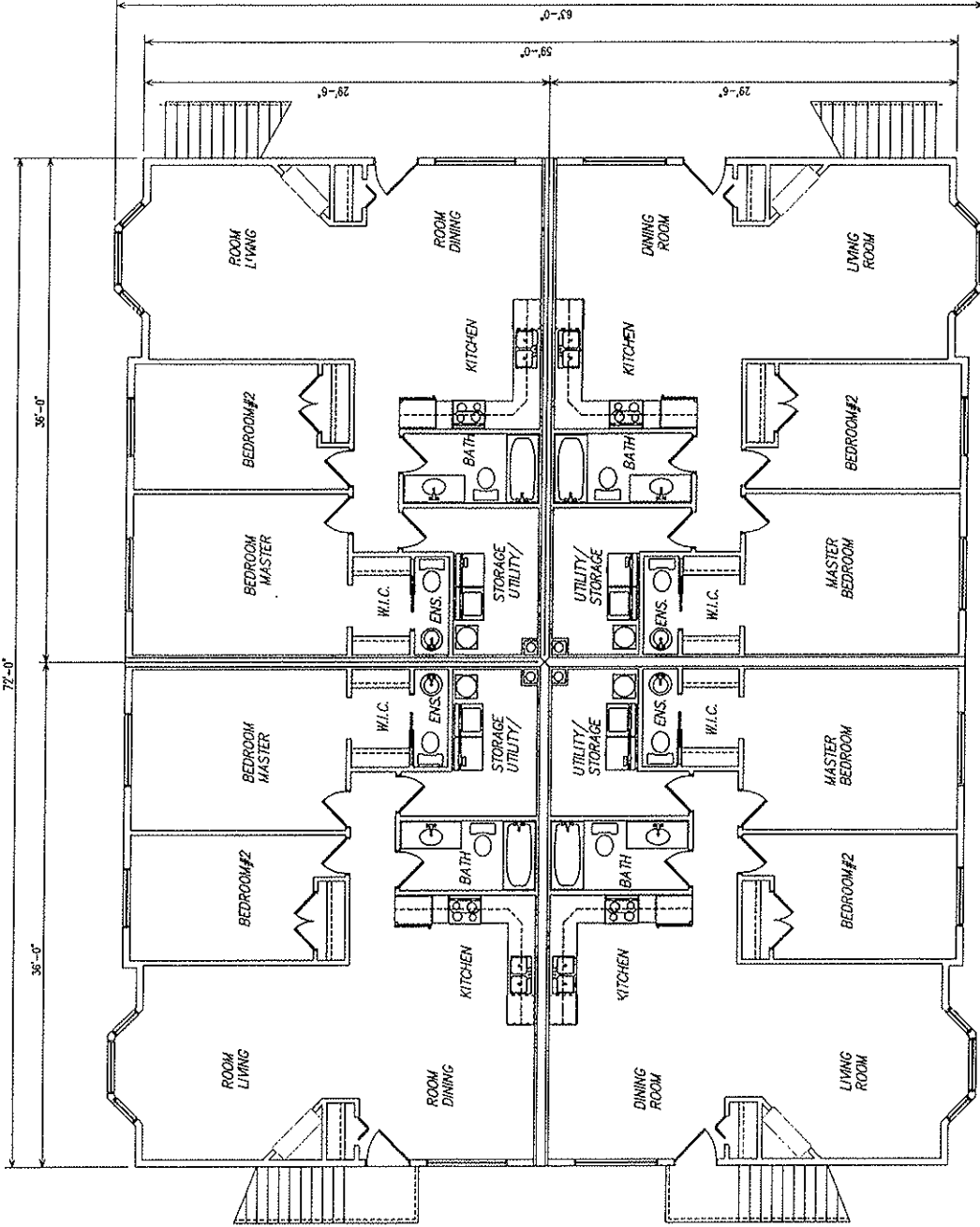
NOVEMBER 8, 2011
BPW Holdings Ltd.
Smithers, BC
Proposed 8-Plex
3652 Third Avenue

NOV 09 2011

BPW HOLDINGS LTD. ARCHITECTS

NOVEMBER 8, 2011

BPW Holdings Ltd.
Smithers, BC
Proposed 8-Plex
3652 Third Avenue



PARTIAL MAIN FLOOR PLAN
1/8" = 1'-0"

PARTIAL SECOND FLOOR PLAN
1/8" = 1'-0"

6" PVC WATER

LANE

PROPERTY LINE 125.0'

GARBAGE

6.0m REAR YARD SETBACK

SMALL CAR
11.

1.

8' wide sidewalk

NOV 29 2011

Engineers

PROPOSED 8 PLEX
CONDOMINIUM

LEGAL DESCRIPTION
LOTS 13-17 BLOCK 31
PLAN 1054
R5 CD
3652/3664 Third Avenue
R3 Zoning (rezoning req'd)

PARKING REQUIREMENTS:
1.5 SPACES PER DWELLING UNIT
8x1.5=12 SPACES REQUIRED

8' wide sidewalk

6.0m SIDEYARD SETBACK

8' wide sidewalk

6.0m SIDEYARD SETBACK

PROPERTY LINE 125.0'

6.0m FRONT YARD SETBACK

8' wide sidewalk

8' wide sidewalk

LOT 18

LOT 17

LOT 16

LOT 15

LOT 14

LOT 13

LOT 12

PROPERTY LINE 125.0'

SIDEWALK

C&G

12" CMP

THIRD AVENUE

C/L ROAD

8" PVC SANITARY

C&G

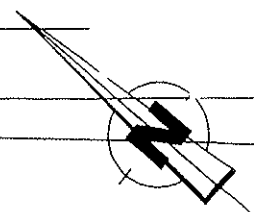
SIDEWALK



SITE PLAN

1" = 20'-0"

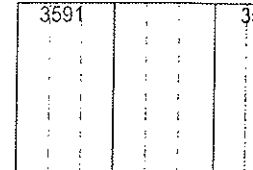
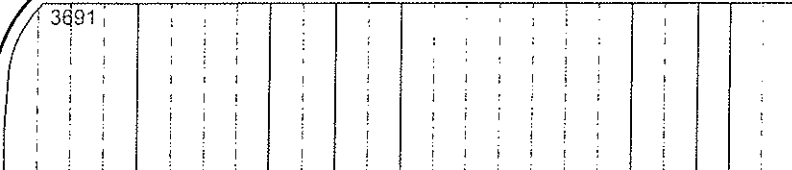
YELLOWHEAD HIGHWAY No. 16



3707

3691

3591



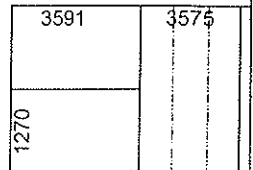
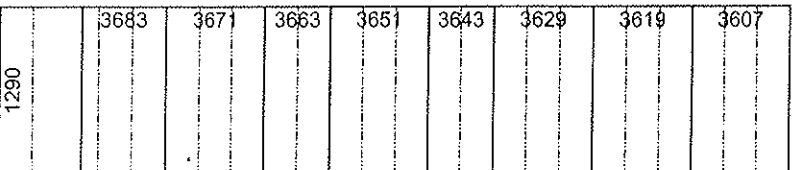
3696 3672 3658 3656 3640 3628 3620 3616 3608

3592 3580

FOURTH AVENUE

KING STREET

DOMINION STREET

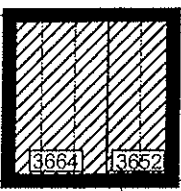


1290

3683 3671 3663 3651 3643 3629 3619 3607

3591 3575

1260



Hudson Apartments

1273

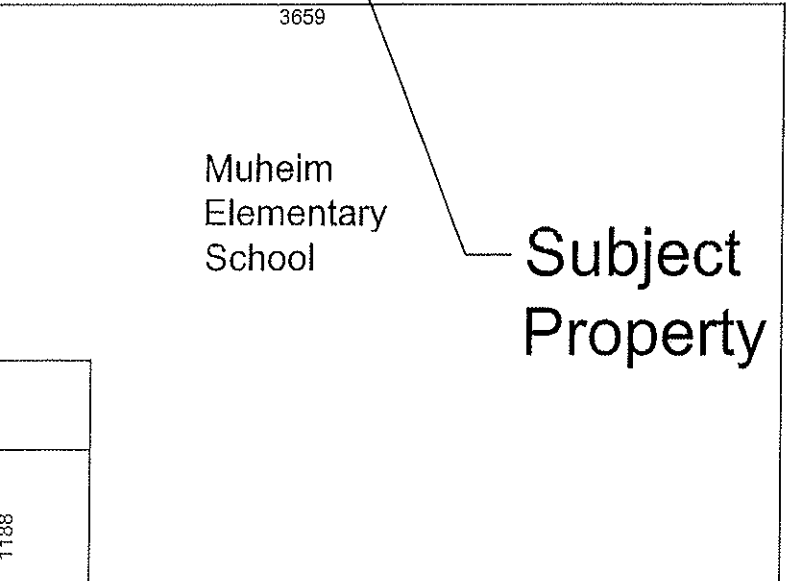
1270

3720 3708

3684 3676 3664 3652 3644

3576 3568

THIRD AVENUE



Muheim Elementary School

Subject Property

3659

1230

3583 3575

1237

3720 3716 3708

3592

3715 3707

1188



Figure 1:
3652 & 3664 Third Ave.

Scale: NTS
Drawn By: KN Date: Nov. 29, 2011
Approved By: *[Signature]* Date: *11/11/2011*
File Name: O:\Eng\Acad
Dwg\Planning\SubProp\PDF\3652_3664
3rdAve[2011-11-29]

Section 4.2 R-2 Low Density Residential Zone

Purpose

The purpose of the R-2 zone is to provide for a mix of housing types including single family dwellings, two-family dwellings, and townhousing.

Permitted Uses

Principal Use

4.2.1 The following principal uses and no others are permitted in an R-2 zone:

- (a) **single family dwelling;**
- (b) **duplex dwelling;**
- (c) **semi-detached dwelling;**
- (d) **townhouse dwelling;**
- (e) **boarding house;**
- (f) **day care centre.**

Auxiliary Uses

and the following and no other **auxiliary** uses are permitted in an R-2 zone:

- (g) one **auxiliary building** for each principal use;
- (h) **boarding use** in a **single family dwelling;**
- (i) **home occupation;**
- (j) **family day care** in a **single family dwelling;**
- (k) **limited group day care** in a **single family dwelling;**
- (l) **secondary suite** in a **single family dwelling.**

Regulations

4.2.2 In a R-2 zone the following regulations in Table 4.2 shall apply: *(Bylaw 1460)*

Table 4.2	
Element	Regulations
Parcel Size and Coverage	
Parcel Area semi-detached dwellings	284 square metres minimum per dwelling unit
single family dwellings, boarding houses, day care centres	460 square metres minimum
for all other residential buildings including a duplex	568 square metres minimum
Parcel Width semi-detached dwellings	7.5 metres minimum
single family dwellings, boarding houses, day care centres	15 metres minimum
all other residential buildings including duplex	15 metres minimum
Front Parcel Lines semi-detached dwellings on non-rectangular shaped parcels	6 metres minimum provided that the average parcel width is not less than 7.5 metres
all other residential buildings on non-rectangular shaped parcels	12 metres minimum provided that the average parcel width is not less than 15 metres
Parcel Coverage	40% maximum for all buildings and structures
Density	shall not be greater than one dwelling per 284 square metres of parcel area
Principal Buildings	
Setbacks front yard	6 metres minimum 4.5 metre minimum in the area within the black line in Figure 4.1
rear yard	6 metres minimum
side yard	
exterior	3.5 metres minimum
interior	1.2 metres minimum from one side parcel line and 1.8 metres minimum from the other side parcel line except (a) where rear access is provided to the parcel from a lane or street or (b) where access is maintained from front to rear yard of a minimum width of 3 metres and a minimum height of 2.15 metres this may be reduced to 1.2 metres minimum
Height	9 metres maximum
Ratio	the longest and shortest dimensions of any single family dwelling shall not exceed a ratio of 3 to 1

Table 4.2	
Element	Regulations
Auxiliary Buildings	
Coverage	10% maximum for all auxiliary buildings
Setbacks	
front yard	6 metres minimum
rear yard	4.5 metre minimum in the area within the black line in Figure 4.1 0.6 metres minimum or 1.8 metres minimum from a rear parcel line in the case of a carport or garage opening onto a lane
side yard	
exterior	3.5 metres minimum
interior	0.6 metres minimum
Height	4.9 metres maximum
Fencing	
Height	
in the required front yard	1.2 metres maximum
in any other yard	1.8 metres maximum
Parking	
	Parking in the R-2 zone shall comply with Section 2.9 contained in General Regulations.

Additional Requirements

- 4.2.3 The wall of a **building** that faces a wall of another **building** or **structure** on the same parcel shall be sited to provide a continuous ninety (90) degree arc, unencumbered by **buildings** or **structures** of a radius not less than twelve (12) metres from the centre of each window of a living room.
- 4.2.4 Where a common wall between two **dwelling**s coincides with an interior side parcel line, no setbacks shall be required from the interior side parcel line. *(Bylaw 1460)*

Section 4.4 R-3 Medium Density Residential Zone

Purpose

The purpose of the R-3 zone is to accommodate a mix of multi-family residential dwellings including townhousing and low-rise apartments.

Permitted Uses

Principal Uses

4.4.1 The following principal uses and no others are permitted in an R-3 zone:

- (a) **townhouse;**
- (b) **boarding house;**
- (c) **low-rise apartment.**

Auxiliary Uses

and the following and no other **auxiliary** uses are permitted in an R-3 zone:

- (d) one **auxiliary building** for each principal **building**;
- (e) **home occupation.**

Regulations

4.4.2 In a R-3 zone the following regulations contained in Table 4.4 shall apply: *(Bylaw 1460)*

Table 4.4	
Element	Regulations
Parcel Size and Coverage	
Parcel Area	460 square metres minimum
Parcel Width	15 metres minimum
Parcel Coverage	50% maximum for all buildings and structures
Density	shall not be greater than one dwelling per 162 square metres of parcel area
Principal Buildings	
Setbacks	
front yard	6 metres minimum 4.5 metre minimum in the area within the black line on Figure 4.1
rear yard	6 metres minimum
side yard	
exterior	6 metres minimum
interior	6 metres minimum
Height	3 storeys or 12 metres maximum

<u>Table 4.4</u>	
Element	Regulations
Auxiliary Buildings	
Setbacks front yard rear yard side yard exterior interior	6 metres minimum 0.6 metres minimum or 1.8 metres from a rear parcel line in the case of a carport or garage opening onto a lane 3.5 metres minimum 0.6 metres minimum
Height	4.9 metres maximum
Fencing	
Height in the required front yard in any other yard	1.2 metres maximum 1.8 metres maximum
Parking	
	Parking in the R-3 zone shall comply with Section 2.9 contained in General Regulations.

Conditions of Use

4.4.3 A townhouse unit shall only be permitted where each townhouse unit is served by a private amenity area of not less than 15 square metres and is designed and landscaped for outdoor leisure activities for the exclusive use of the occupants of the townhouse unit served.

Additional Requirements

4.4.4 The wall of a **building** that faces a wall of another **building** or **structure** on the same **parcel** shall be sited to provide a continuous ninety (90) degree arc, unencumbered by **buildings** or **structures** of a radius not less than twelve (12) metres from the centre of the main window of a living room or family room.