



File # 11.60.00

To: Port Alberni Advisory Planning Commission

Wes Hewitt – Chair	Chief Councillor Cynthia Dick (Tseshah First Nation)
Seva Dhaliwal – Vice Chair	Larry Ransom - (SD #70 Liaison)
Hedley Crowther	Councillor Chris Alemany (Council Liaison)
John Douglas	Rick Newberry (P.A.F.D. Liaison)
Amy Anaka	Rob Gaudreault (Parks Liaison)
Jim Tatoosh (Hupacasath First Nation)	S. Sgt. Terry Smith (R.C.M.P. Liaison)
Ken McRae	

From: Scott Smith, Director of Development Services

Copy: Councillor Ron Paulson - (Alternate - Council Liaison)
John Bennie - (Alternate - School District #70)
Steven Tatoosh (Alternate – Hupacasath First Nation)
Sgt. Dave Boyce – (R.C.M.P. Liaison)
Cara Foden - Development Services Technician
Davina Hartwell, City Clerk / Tanis Feltrin / Lisa Krause - Clerks Department

Date: December 14, 2017

Re: **Advisory Planning Commission Meeting**
Thursday, December 21, 2017 at 12:00 pm in the Committee Room at City Hall

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, December 21, 2017 at 12:00 pm in the Committee Room at City Hall**. If you have any questions or are unable to attend please contact Scott Smith at 250-720-2808 (voice mail available).

AGENDA

1. Minutes of the November 2, 2017 meeting of the Advisory Planning Commission.
2. **DEVELOPMENT APPLICATION – Zoning Bylaw Amendment**
3665 12th Avenue - Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427 (PID: 006-157-246)
Applicant: C. Power
3. **DEVELOPMENT APPLICATION – Zoning Bylaw Amendment**
2170 Mallory Drive
Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)
Applicant: Michael Sutherland as Agent for Mansett Family Holdings Inc. No.BC0589641
4. **DEVELOPMENT APPLICATION – Zoning Bylaw Amendment**
4233 Cedarwood Street
Lot 3, Block 4, District Lot 1, Alberni District, Plan 9060 (PID: 005-519-454)
Applicant: J. and R. Elliot

5. **Update** – Director of Development Services - Status of current projects.
6. **Other business.**
7. **Adjournment.** The next regular meeting will be held on **January 18, 2018.**



**Summary Report / Minutes of the Advisory Planning Commission Meeting
(Held on November 2, 2017,
in the Committee Room at City Hall, at 12:00 p.m.)**

Advisory Planning Commission

Wes Hewitt – Chair
Seva Dhaliwal – Vice-Chair
Larry Ransom - (SD #70 Liaison)
John Douglas
Amy Anaka
Ken McCrae
Councillor Chris Alemany (Council Liaison)
Rick Newberry Thoen (P.A.F.D. Liaison)
S. Sgt. Terry Smith (R.C.M.P. Liaison)
Rob Gaudreault (Parks Operations Liaison)

Staff

Scott Smith, Director of Development Services
Cara Foden, Dev. Services Technician

Guests

Members of the Public – 14
B. Crema (Applicants)
N. Nygren
D. Francis
D. Hamelin

Regrets

Cynthia Dick (C.C. Tseshah First Nation)
Jim Tatoosh (Hupacasath First Nation)
Hedley Crowther

Alternates (not in attendance)

Councillor Ron Paulson (Alternate–Council)
Sgt. Dave Boyce (Alternate–R.C.M.P.)
John Bennie (Alternate S.D.70)
Steve Tatoosh (Alternate Hupacasath First Nation)



1. Adoption of September 21, 2017 Minutes

- Introductions were made and members of the public welcomed by the Chair.
- The minutes of the September 21, 2017 meeting of the Advisory Planning Commission were adopted.

(McRae / Ransom) CARRIED

- L. Ransom, (SD 70 liaison), declared a conflict of interest, recused himself from the application and left the room. The School District currently owns the subject property.

**2. DEVELOPMENT APPLICATION – Official Community Plan Bylaw and Zoning Bylaw
4000 Burde Street**

Lot 1, District Lot 46, Alberni District, Plan 11651 (PID: 004-971-418)

Applicant: B. Crema dba District Acquisitions Corporation

- The Director of Development Services (D.D.S.) summarized his report to the APC dated October 25, 2017.
- M. Jarrett (public) asked the Chair for permission to submit a letter to the APC regarding the application. The Chair accepted the submission and the Commission motioned to receive it and include it in the minutes for Council's consideration.
- The APC, and members of the public in attendance, discussed the application as follows:
 - P. Kermeen (public) noted that the property is a large tract of land and suggested that the proposed use was not the best use of the land for the community and urged the APC members to recommend against moving forward with the proposal.

- S. Brownlee (public) voiced concern regarding the timing of a traffic study recommended for the intersection of 10th Ave. and Burde St. She noted that visibility at the intersection was impeded by a fence on the southeast corner and was concerned about the suggested timing (post development) of a traffic study. She would prefer a traffic study be done prior to Phase 1.
- D. Jarrett (public) asked the applicants about their company and funding of the project. The applicants responded with a brief history of their local background, experience in the development industry and company history. Mr. Jarrett also asked if any of the company's investor's would be in a position to vote on the application. The D.D.S. advised that any conflict would have to be declared.
- K. McRae (APC) asked about a projected timeline for the project. B. Crema (Applicant) spoke to the issue of low vacancy rates in the Province including the City of Port Alberni. Several Commission members spoke to the need for senior's housing and Mr. Crema indicated that senior's housing could be contemplated within the spectrum of zoning options that could be applied for from within the Multi-family OCP designation. He described the projected timeline for the project to be 5 -10 years with this initial phase to take approximately 24 months.
- J. Douglas (APC) asked about current ownership status of the property and expressed that there is a need in the community for health facilities and supportive housing options. Mr. Douglas also asked for clarification of the infrastructure and servicing needs for the site. The applicant indicated that the School District owns the property. The closing date for the sale is December 20 and subject conditions have been removed. It was clarified that the current P1 zoning would remain on a large portion of the site and would allow for the operation of both private or public health facilities and a variety of supportive housing options.
- M. Nygren (Applicant) advised the APC that the real estate market in Port Alberni is more subdued than other locations in BC and that this is a reason for well thought out, phased development that works for the community needs. He indicated that the company is open to exploring partnerships with supportive housing providers. Mr. Nygren also explained that new rental apartment housing has not been developed in Port Alberni for many years. In recent years it has become a more financially feasible and viable development option due to low interest rates and other economic factors. He would encourage the City to promote the building of more rental apartments.
- The D.D.S. spoke to the APC to clarify that the infrastructure requirements for the development of the site would be considerable and the developer would be required to submit engineering plans and drawings at the subdivision phase and design work would need to consider the entire site rather than reflecting a piecemeal approach.
- The applicants indicated to the APC that planning for accessible housing was included in their business plan with a reasonable percentage being 5-10%. The D.D.S. clarified that the City had no bylaws that required affordable housing to be provided.
- A. Anaka (APC) commented that the wait list for rental apartments in the recently opened Thunderbird building was an indication of the need for rental units in Port Alberni. She asked why zoning amendments would be pursued in phases rather than a phased development agreement with the City. The applicants commented that the OCP amendments would meet the long term objectives of developing diverse multi-family housing options. Future Zoning amendments would be pursued once the topographic and market requirements of the site were more defined. The natural topography of the site lends itself to "development chunks" and the applicants will want to incorporate that approach into the development of a Master Plan for the site.

Ms. Anaka expressed concerns regarding the design elements shown on the concept plan and presenting street facing parking lots for the multi-family building. The applicants indicated that they would consider other options. The D.D.S. spoke to the need for the applicants to obtain Form and Character Development Permits for the multi-family development. Many of the design details and requirements would be addressed through the Development Permit (DP) process. DP's will not come to the APC for consideration but are reviewed by staff and a report is considered by City Council at a regular meeting of Council that is open to the public. Three bedroom units were identified as a need and the applicants indicated that some three bedroom units would be included in the development.

- I. Thomas (public) questioned the applicants regarding the inclusion of amenities in the multi-family development and also asked who would be responsible for ongoing ownership and maintenance of the building. He requested details regarding the quality of the development and asked if units would be constructed with balconies vs. no balconies. The applicants responded that amenities such as common rooms and possibly a gym room would be considered. Their intention is to retain ownership of the building and contract a Property Manager. Their objective is to create livable units with in-unit laundry, balconies and durable finishing as they wish to keep the building fully rented. The D.D.S. noted that the RM3 zone has requirements for usable open space.
- N. Myrfield (public) questioned the applicant regarding the retention of trees along the intersection of Anderson Ave. and Burde St. The applicants responded that some trees may need to be removed. They will work to preserve trees where they can. They did indicate to the APC that there would be an overall increase in vegetation and that they are sensitive to the need to focus development of taller buildings closer to Anderson to preserve views from the higher elevations. Single family residential lots are proposed along 16th Avenue. The D.D.S. indicated that a further shade study would be required.
- E. Frood (public) indicated concern about the need for affordable housing having reached a critical level in Port Alberni. She would like to see the trees on the Anderson Avenue streetscape preserved.
- D. Deluca (public) addressed the APC regarding increased demand for purpose built rental housing for people who do not want to own a home for a variety reasons.
- J. Douglas (APC) encouraged the applicants to investigate partnerships with developers (such a Berwick for supportive housing) for the portion of property that is proposed to remain P1 Institutional at this time. He indicated support for the project.

MOTIONS:

- 1) *That the Advisory Planning Commission recieve the submission from Marjorie Jarrett, a letter dated November 2, 2017, for inclusion in the Minutes and the consideration of City Council.*

(Douglas / Anaka) CARRIED

- 2) *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule A Land Use Map to change the designation of Lot 1, District Lot 46, Alberni District, Plan 11651, (PID: 004-971-418), located at **4000 Burde Street**, from 'Institutional' use to a mix of '**Residential**' and '**Multi-Family Residential**' use.*

- 3) *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule B Development Permit Areas Map to include a portion of Lot 1, District Lot 46, Alberni District, Plan 11651, (PID: 004-971-418), located at **4000 Burde Street**, in '**Development Permit Area No. 1 Multi-Family Residential**'.*
- 4) *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot 1, District Lot 46, Alberni District, Plan 11651, (PID: 004-971-418), located at **4000 Burde Street**, from 'P1 – Institutional' to a mix of '**P1 Institutional**', '**R1 Single Family Residential**' and '**RM3 High Density Multi-Family Residential**' zones.*
- 5) *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:*


a. Receive a Preliminary Layout Approval from the Subdivision Approving Officer

(McRae / Douglas) CARRIED

3. **Update** – Director of Development Services advised those in the room that the Minutes of the meeting would proceed to the November 14th meeting of City Council.
4. **Other business** - No other business
5. **Adjournment** – The meeting adjourned at 1:25 p.m. The next regularly scheduled meeting will be held on **November 16, 2017** at 12:00 pm in the Committee Room at City Hall.

(Douglas / McRae) CARRIED

Davina Hartwell - City Clerk



Wes Hewitt - Chair

Proposal to rezone property bounded by 16th Avenue, Burde Street, 14th Avenue and Dry Creek Park.

Response by Marjorie Jarrett, 3515 16th Avenue, on November 2, 2017.

This 22 acre parcel is zoned P1 – Institutional. Properties with this zoning are scarce but serve a very important purpose – that of ensuring the services and amenities which enhance the quality of life in the community.

On the other hand, land zoned residential and future residential is not scarce.

Understandably, City Council wishes to increase the tax base. However, simply building a lot of apartments will not bring people to town. Young people need job opportunities and amenities; older people need appropriate housing and services.

The 4 story apartment block is a bare-bones design with outdoor parking, no exterior enhancements and no interior amenities. This is a design to maximize income and minimize construction costs.

Much of the remainder of the property rezoning request is for multi-family. The prospect of clusters of apartment buildings and other multi-family configurations is neither appealing nor wise. Large cities have found this type of planning to be a disaster. We currently have one new apartment block, another in the building stage, another proposed and a potential renovation of an old building into apartments. There are many empty lots throughout the city which can be used for multi-family. Why is it necessary to carpet an area with apartments, which could be put to better use?

Our council has been advised by both the Health Officer and the local head of Police that our crime problem will not be solved or improved until we address the underlying problems of mental health, lack of a variety of job opportunities and affordable housing.

The potential for genuine senior housing, extended care and various levels of treatment would satisfy many of the recognized needs, not just of our community but most communities in Canada. Such a development would provide a variety of levels of employment for our young people, would fill the classrooms of the local college, preparing people for those jobs and would put the Alberni Valley on the map for innovative and effective approach to our social problems, much as Medicine Hat has achieved and continues to achieve.

It seems strange that the first viable proposal for the use of this property is for rezoning to primarily multi-family. Has the School District #70 had any requests for development proposals which are within the zoning description? If so, why have we not heard of it or them? If not, why not? This is the logical use for this property.

M Jarrett



CITY OF PORT ALBERNI

DEVELOPMENT SERVICES DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, Director of Development Services

DATE: December 13, 2017

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment

3665 12th Avenue

*Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427
(PID: 006-157-246)*

Applicant: C. Power

Issue

To consider an application for a map amendment to the Zoning Bylaw Schedule A (Zoning Map) for the subject property at 3665 12th Avenue.

Background

An application has been made to amend the Zoning Bylaw to rezone 3665 12th Avenue from 'R2 One and Two Family Residential' to 'R3 Small Lot Single Family Residential' in order to facilitate a subdivision application. The property is a double fronting lot between 12th Avenue and Anderson Avenue. There is an existing house and garage on the property. The applicant proposes to subdivide the lot into two smaller residential lots.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation on **3665 12th Avenue, Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427 (PID: 006-157-246)**, is currently designated 'Residential' on the Official Community Plan Schedule A – Land Use Map. No amendment is required.
- b) The property at **3665 12th Avenue, Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427 (PID: 006-157-246)**, is currently zoned 'R2 One and Two Family Residential' on the Zoning Bylaw Schedule A Zoning Map. A map amendment to the Zoning Bylaw Schedule A Zoning Map is required to rezone the property as '**R3 – Small Lot Single Family Residential**'.

Discussion

Zoning:

The property at 3665 12th Avenue has ± 30.47 metres (± 100 ft.) frontage along 12th Avenue and another frontage along Anderson Avenue of ± 30.54 metres (± 100.2 ft.). The lot area is ± 754.7 m² ($\pm 8,124$ ft²). Front Yard Setbacks will apply to both street facing property lines.

The R3 zone has a minimum frontage requirement of 10 metres (33 ft.) and a minimum lot area requirement of 350 m² (3,767 ft²). The maximum site coverage in the R3 zone is 50%. The required Setbacks are: Front Yard 5 m (16.4 ft.), Rear Yard 5.5 m (18.0 ft.), Side Yard 1.5 m (4.9 ft.)

With a total area of ± 754.7 m² ($\pm 8,124$ ft²) it would be possible to create two smaller lots exceeding the minimum lot size requirements (see attached subdivision plan). The 50% maximum site coverage permitted in the R3 zone is adequate to allow development if the parcel is subdivided into two lots.

Proposed Lot 1 has an existing dwelling and small accessory garage on the property. Proposed Lot 1 has an area of ± 380.2 m² and maximum lot coverage would be ± 190.1 m² ($\pm 2,046$ ft²), with a building envelope of ± 168 m² ($\pm 1,808$ ft²). The existing house is located within the building envelope. An existing small garage is located within the Front Yard setback requirement on the Anderson Avenue side, would not be required to be removed at this time but it does not meet current setback requirements and could not be rebuilt if it was ever destroyed or demolished.

Proposed Lot 2 would be vacant and has an area of ± 374.5 m². The maximum lot coverage would be ± 187.3 m² ($\pm 2,015$ ft²), with a building envelope of ± 167.4 m² ($\pm 1,802$ ft²) making for a reasonable development lot.

Surrounding Area

The areas adjacent to the site are predominately single family residential use with a mix of lot sizes and some small multi-family buildings in the area. Two blocks to the northwest there is a commercial centre at Redford Street and 10th Avenue. A large grocery store, pharmacy and various eateries are easily accessible to the neighbourhood residents. One block to the southeast, across Burde Street, is vacant land formerly occupied by a secondary school. That site is the subject of a rezoning application for a mix of single family and multi-family residential uses.

Infrastructure

The City water and sanitary service mains are readily available. A new sanitary connection has been installed for the existing house. The water connection to the existing house is unknown and will need to be confirmed.

Water: There is a water main along Anderson Avenue and along 12th Avenue.

Storm: The nearest storm main is located on Bute Street.

Sewer: A sewer main located along Anderson Avenue.

There are overhead private utilities located on the west side of Anderson Avenue and also on the west side of 12th Avenue. The detailed issues regarding servicing requirements will be covered under the Preliminary Layout Approval letter during the subdivision process.

BC Hydro: There is a hydro pole at property line on Anderson Avenue side.

Conclusions

In considering the Zoning amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the site and for the community. The R3 - Small Lot Single Family Residential zone allows for slightly greater density while maintaining a single family residential character. The Official Community Plan is supportive of encouraging development within existing developed areas through infill and redevelopment. The proposed zoning and subdivision are compatible with the character of the neighbourhood and the Development Services Department supports the zoning amendment to the R3 zone.

Recommendations

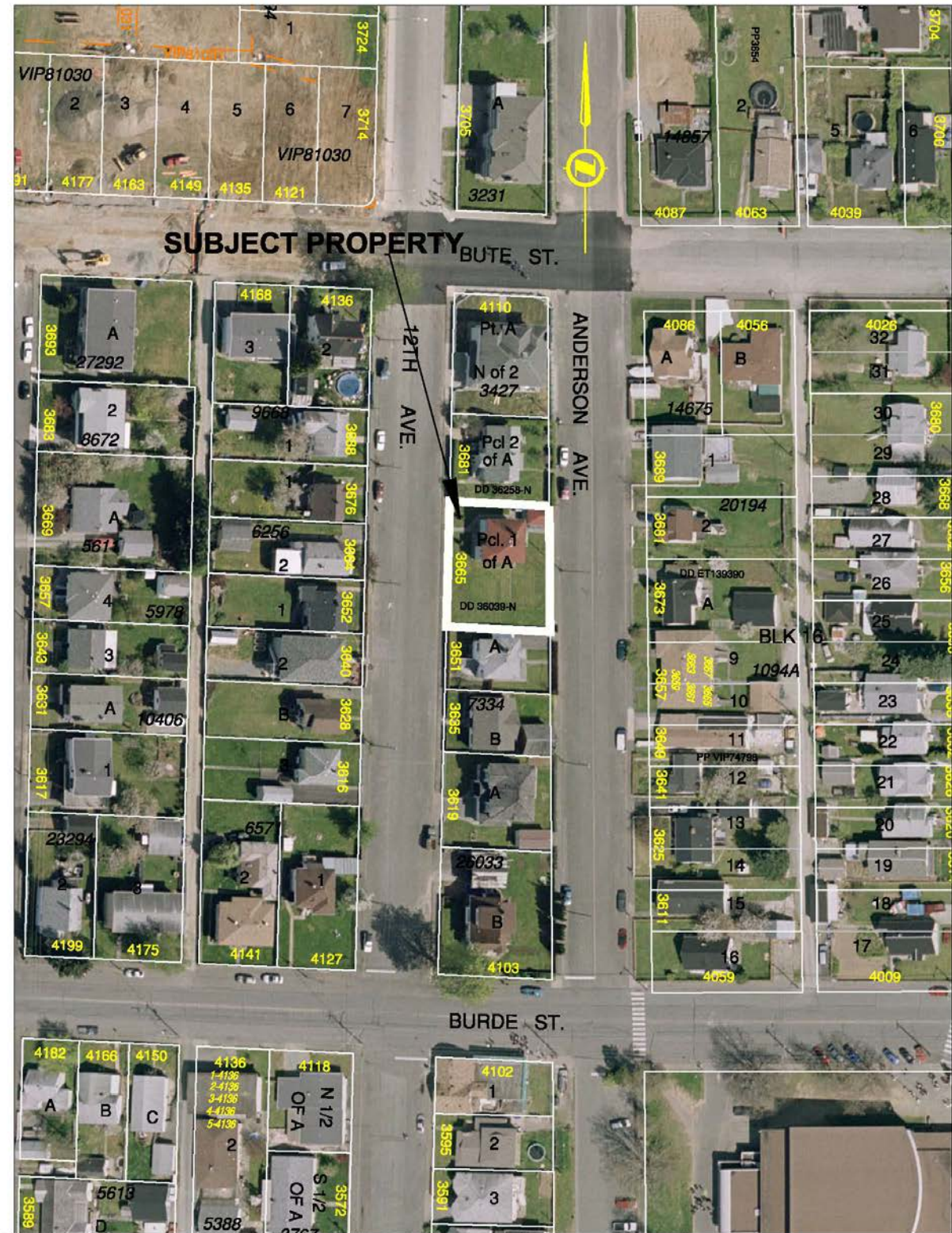
1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Parcel Number 1 (DD 36039-N) of Lot A, District Lot 1, Alberni District, Plan 3427 (PID: 006-157-246), located at 3665 12th Avenue, from R2 – One and Two Family Residential to **R3 – Small Lot Single Family Residential**.*
2. *That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before final adoption of the bylaw:*
 - a. *Receive a Preliminary Layout Approval letter for the proposed subdivision from the City of Port Alberni's Approving Officer.*

Respectfully submitted,

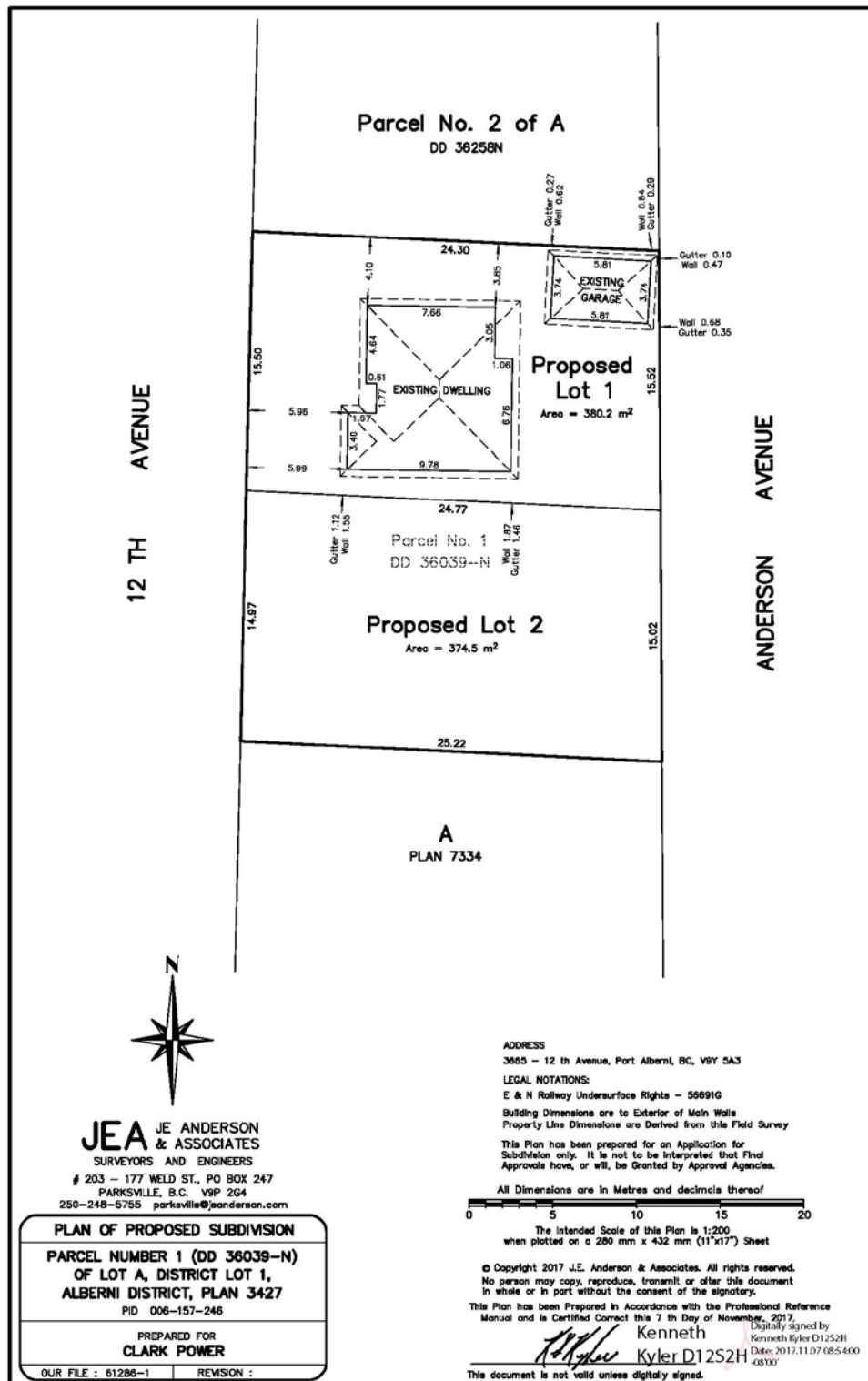


Scott Smith, MCIP
Director of Development Services

AERIAL – 3665 12th AVENUE



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PROPOSED SUBDIVISION

Bylaw 4832

R3 – SMALL LOT SINGLE FAMILY RESIDENTIAL

5.13 The purpose of this *zone* is to provide for greater density in areas of the city that are being redeveloped and where small *lots* already exist.

5.13.1 Permitted usesPrincipal Uses

Single family dwelling

Accessory Uses

Home occupation

5.13.2 Site Development Regulations

Minimum Lot Area	350 m ²	(3767 ft ²)
Minimum Frontage	10 m	(32.8 ft)
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	5 m	(16.4 ft)
Rear yard	5.5 m	(18.0 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Floor Area Ratio	0.5	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2.5	

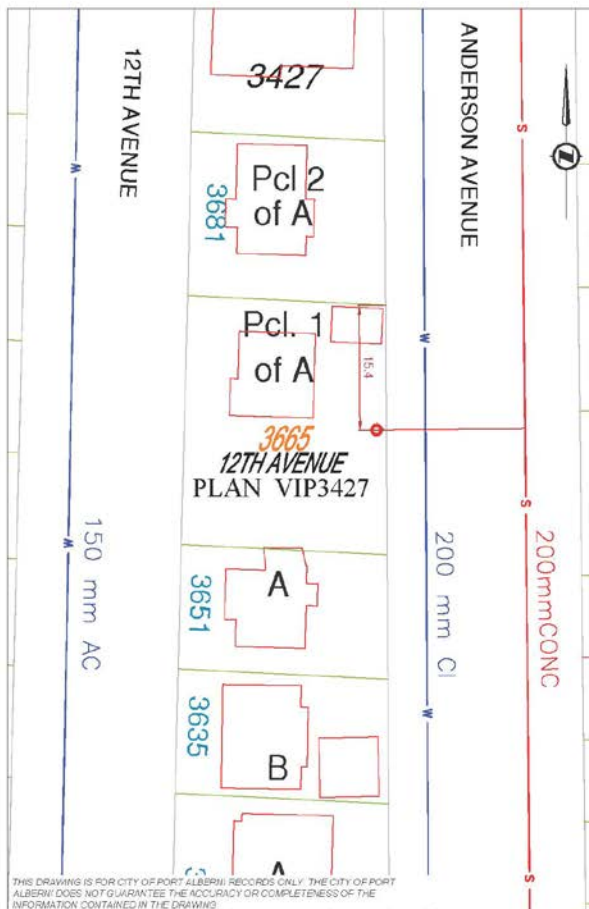
5.13.3 Conditions of Use

Notwithstanding the provisions of 5.13.2,

- (a) On a *corner lot*, the *side yard* by the flanking *street* must be not less than 3.0 metres (9.8 ft) wide.
- (b) For single *family* dwellings having no carport or attached garage and with no access to the rear or the side of the *lot* from a *street* or *lane*, the minimum *side yard* requirement shall be increased to 3 m (9.8 ft) for one *side yard*.
- (c) The minimum permitted *setback* from the vehicle entrance of a principal or *accessory building* to a highway other than a *lane* is 5.8 m (19 ft).

3665 – 12th Avenue:





WATER & SEWER SERVICE CONNECTION RECORD

NOTE: Distances in metres unless otherwise shown

HOUSE #	3665	STREET #	12TH AVENUE	LOT #	A
DISTRICT LOT #	1	BLOCK #	-	PLAN #	VIP3427 PARCEL 1
STORM		WATER		SEWER	
INSTALLATION DATE	-	INSTALLATION DATE	UNKNOWN	INSTALLATION DATE	UNKNOWN
CONNECTION DATE	-	CONNECTION DATE	UNKNOWN	CONNECTION DATE	UNKNOWN
SIZE	-	SIZE	-	SIZE	VIT 100
DIST. MAIN TO P.L.	-	DISTANCE FROM MAIN TO CURB STOP (METER)	-	LENGTH	-
RISER	-	CORP. STOP	-	RISER	-
FITTING AT MAIN	-	CURB STOP	-	FITTING AT MAIN	-
BENDS	-	COUPLINGS	-	BENDS	-
DEPTH AT P.L.	-	REDUCER	-	DEPTH AT P.L.	1.2
DIST from DIS M.H. TO FITTING ON MAIN	-	SHUT-OFF DEPTH	-	DIST from DIS M.H. TO FITTING ON MAIN	-
MEASURED	-	MEASURED	-	MEASURED	15.4m S OF NE PROPERTY CORNER. G.O 1.2m W OF E P.L.

NOTES:

- STORM-WYED OFF SANI ON PRIVATE PROPERTY -20171102.
- SANI CLEANOUT INSTALLED 20171102.



CITY OF PORT ALBERNI

DEVELOPMENT SERVICES DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, Director of Development Services

DATE: December 13, 2017

**SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment
2170 Mallory Drive**

Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)

Applicant: Michael Sutherland as Agent for Mansett Family Holdings Inc.
No.BC0589641

Issue

To consider an application for a text amendment to the Zoning Bylaw to facilitate specific light industrial uses in the P1 Institutional zone for the subject property at 2170 Mallory Drive.

Background

An application has been made for a site specific amendment to the text of the Zoning Bylaw to permit 'Small Engine Repair', 'Mechanic Shop' and 'Woodworking Shop' at 2170 Mallory Drive where the current zoning is 'P1 Institutional'. The applicant would like to maintain the existing P1 zone, as their long term vision for the property is to develop some type of seniors housing. The existing building on the site is currently being utilized without a business license, by a commercial tenant, for the non-compliant uses. The commercial tenant has been using the existing utility building to house a Mechanic and Small Engine Repair shop and would like to include some woodworking capacity.

Originally the site was one legal property, occupied by two separate buildings that made up the North American terminus of an international telecommunications cable owned by Teleglobe. A subdivision in 2004 created two parcels that separated the main office building, now used by Oceans Canada for research purposes, from the former Teleglobe utility building. The property at 2170 Mallory Drive is an irregularly shaped parcel roughly resembling a wedge totaling 1.081 ha (2.67 ac) and has a number of large mature trees around the perimeter.

There is a restrictive covenant registered on the title of the property that prevents any new building on the land until sanitary sewer is provided to the land. The existing footprint of the building is allowed but no addition would be allowed without sanitary sewer.

Discussion

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan designation on **2170 Mallory Drive, Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)**, is currently 'Residential' on the Official Community Plan Schedule A – Land Use Map. The property is not included in a Development Permit Area.
- b) The property at **2170 Mallory Drive, Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)**, is currently zoned 'P1 – Institutional' on the Zoning Bylaw Schedule - A Zoning Map. 'Small Engine Repair', 'Mechanic Shop' and 'Woodworking Shop' are not permitted uses in the 'P1 Institutional' zone. A text amendment to the Zoning Bylaw has been requested to add those uses to the P1 zone.

Surrounding Area

The property is located along the City boundary at the southern end of Mallory Drive. Directly to the south, outside the City boundary is the Tseshah Reserve No. 2 with approximately four single family houses. To the northeast of the property there are a few large semi-rural residential parcels, with the residential subdivision known locally as 'Cameron Heights' further to the northeast. Immediately to the north of the parcel there is a gravel, dedicated road R.O.W. separating the subject lot from the parcel occupied by Oceans Canada research project offices. Storage yards for Western Forest Products APD Mill are to the northwest. Canal Beach and a possible marine industrial project are located to the west, along the waterfront.

Infrastructure

There is a City water connection for the existing building located as per the attached service card. There are no sanitary sewer or storm connections to the site.

Water: There is a water main along Mallory Drive, to the east, that currently services the existing building.

Storm: None.

Sewer: There is a septic system currently in use.

Overhead private utilities are located along Mallory Drive to the east and Plywood Drive to the west.

Referral Comments

RCMP: *No policing concerns with this proposal.*

VIHA: *See letter (attached) from VIHA dated September 5, 2017.*

Options

1. Proceed with a Site Specific text amendment to the P1 Institutional zone with conditions.
2. Deny the proposed amendment.
3. Proceed with amendments to the Official Community Plan to designate the property as 'Industrial' and to include the property in Development Permit Area No. 3 Industrial; and to amend the Schedule A Zoning bylaw map to designate the property as 'M1 Light Industry'.

Conclusions

In considering the Zoning amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the community and for the site.

The building and property were previously owned and occupied by the Teleglobe utility that was historically considered an institutional use and was zoned P1. The building however was essentially built and occupied as a light industrial use. The applicant has indicated that the light industrial/commercial uses are intended to be temporary.

The proposed site specific amendment within the P1 zone is not a standard application. If the Advisory Planning Commission supports the proposed site specific text amendment to allow the three light industrial/commercial uses, they could recommend that:

- a. *The amendment be a Site Specific text amendment to the P1 Institutional zone; and*
- b. *That the following text be added to the Section 5.31.4 Site Specific uses table:*

D.

Site – **2170 Mallory Drive** - Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
 - Small Engine Repair
 - Mechanic
 - Woodworking
- ii. The following conditions apply Principle Uses listed in 5.31.4Di
 - a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.

If Option 1 is endorsed, the City cannot place a time limit on the current usage and the long term public objective of 'Residential' use for the site cannot be guaranteed and the City will be seen to have amended the Zoning Bylaw to allow uses which are not in compliance with the current Official Community Plan.

To develop the property with some form of senior housing in the future could fit under the current P1 zone, but would require significant service upgrades, road improvements and a new building. The area is also lacking in walkability and is far from amenities that would be desirable for seniors. Preferable long term usage might be more suited to multi-family development and it would be preferable to amend the Official Community Plan and the Zoning Bylaw to ensure that due public process is followed and that the public is involved in the long term development of the site if the owner chooses to pursue a residential use in the future.

The current building was essentially built and has been occupied as a light industrial use over the years. The requested permitted use and the M1 zone would be appropriate for the site and Director of Development Services supports **Option No. 3.**

- proceed with amendments to the Official Community Plan to designate the property as 'Industrial'; and to include the property in Development Permit Area No. 3 Industrial; and
- proceed with an amendment to the Schedule A Zoning bylaw map to designate the property as 'M1 Light Industry'.

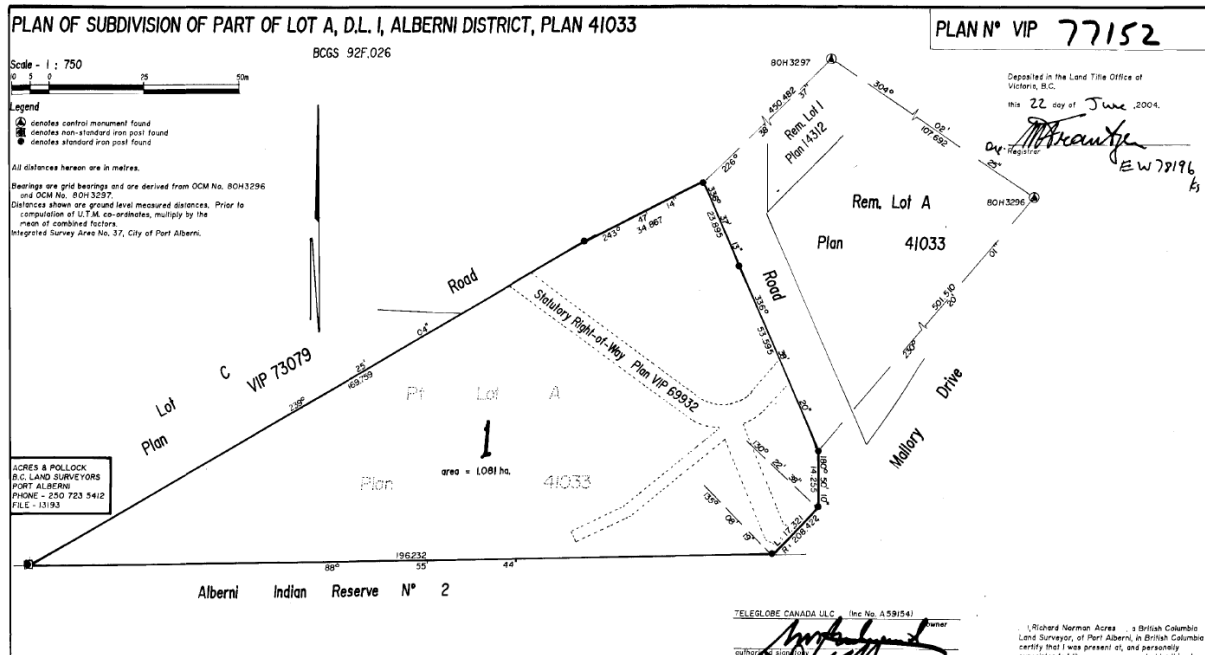
Recommendations

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule A Land Use Map to change the designation of Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409), located at **2170 Mallory Drive**, from 'Residential' use to '**Industrial**' use.*
2. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Official Community Plan Schedule B Development Permit Areas Map to include Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409), located at **2170 Mallory Drive**, in '**Development Permit Area No. 3 Industrial**'.*
3. *That the Advisory Planning Commission recommends to City Council that the City proceed with a map amendment to the Zoning Bylaw (Schedule A – Zoning Map) to change the designation of Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409), located at **2170 Mallory Drive**, from 'P1 – Institutional' to '**M1 Light Industry**' zone.*

Respectfully submitted,



Scott Smith, MCIP
Director of Development Services



"P1 – INSTITUTIONAL

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

5.31.1 Permitted uses

Principal Uses

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

Accessory Uses

Caretaker's dwelling unit, subject to Section 6.16

Site Specific Accessory Uses as permitted under Section 5.31.4.

School
Supportive housing
Transition house
Tutoring service

5.31.2 Site Development Regulations

Minimum Lot Area	540 m ²	(5813 ft ²)
Minimum Frontage	15 m	(49.2 ft)
Maximum Coverage	40%	
Minimum Setbacks:		
Front yard	7.5 m	(24.6 ft)
Rear yard	9 m	(29.5 ft)
Side yard	1.5 m	(4.9 ft)
Maximum Height, Principal Building	12.5 m	(41 ft)
Maximum Number of Principal Building Storeys	3	

5.31.3 Conditions of Use

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

5.31.4 Site Specific

A.

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

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

- i. The following conditions apply to *Accessory Uses* listed in 5.31.4.A:

- a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.

- b) The total area occupied shall not exceed 1077 m² (11,592 ft²).
- c) No retail activity is permitted as part of any business located on the property.

B.

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

- i. Notwithstanding the maximum coverage provisions of Section 5.31.2, for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

C.

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

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

Bylaw 4832

M1 – LIGHT INDUSTRY

5.27 The purpose of this *zone* is to establish and maintain areas containing light industrial *uses*, such as wholesale, warehouse and light *manufacturing* operations.

5.27.1 Permitted usesPrincipal Uses

Automotive sales, repair and servicing
Boat or recreational vehicle sales and repair
Building supply
Cartage and delivery service
Contractor's shop
Custom workshop
Electronics repair
Enclosed storage and warehousing, including mini storage
Exterminating service
Food and beverage processing (excluding the fish, meat and poultry products industries)
Furniture and fixture manufacturing
Garden shop, nursery and landscape supplies
Gasoline service station
Glass shop
Health and fitness centre
Machine shop
Machinery and equipment sales, rental and repair
Other light manufacturing industry
Petroleum products, wholesale
Prefabricated buildings sales
Printing, publishing and allied industry
Recycling depot

Principal Uses (continued)

Signs and displays industry
Storage yard
Transportation dispatch and depot
Veterinary clinic
Wholesale (excluding wholesalers of scrap and waste materials)
Works yard

Accessory Uses

Caretaker's dwelling unit, subject to Section 6.16
Display, storage, and retail sales of goods produced on the premises
Office

Site-Specific Uses

Medical Marijuana Facility

5.27.2 Site Development Regulations

Minimum <i>Lot Area</i>	930 m ²	(10,011 ft ²)
Minimum <i>Frontage</i>	30 m	(98.4 ft)
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	6 m	(19.7 ft)

Bylaw 4832

<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard (total)</i>	6 m	(19.7 ft)
(Permitted on one side)	0 m	
Maximum Height, Principal Building	12.5 m	(41 ft)
Maximum Number of Principal Building Storeys	3	

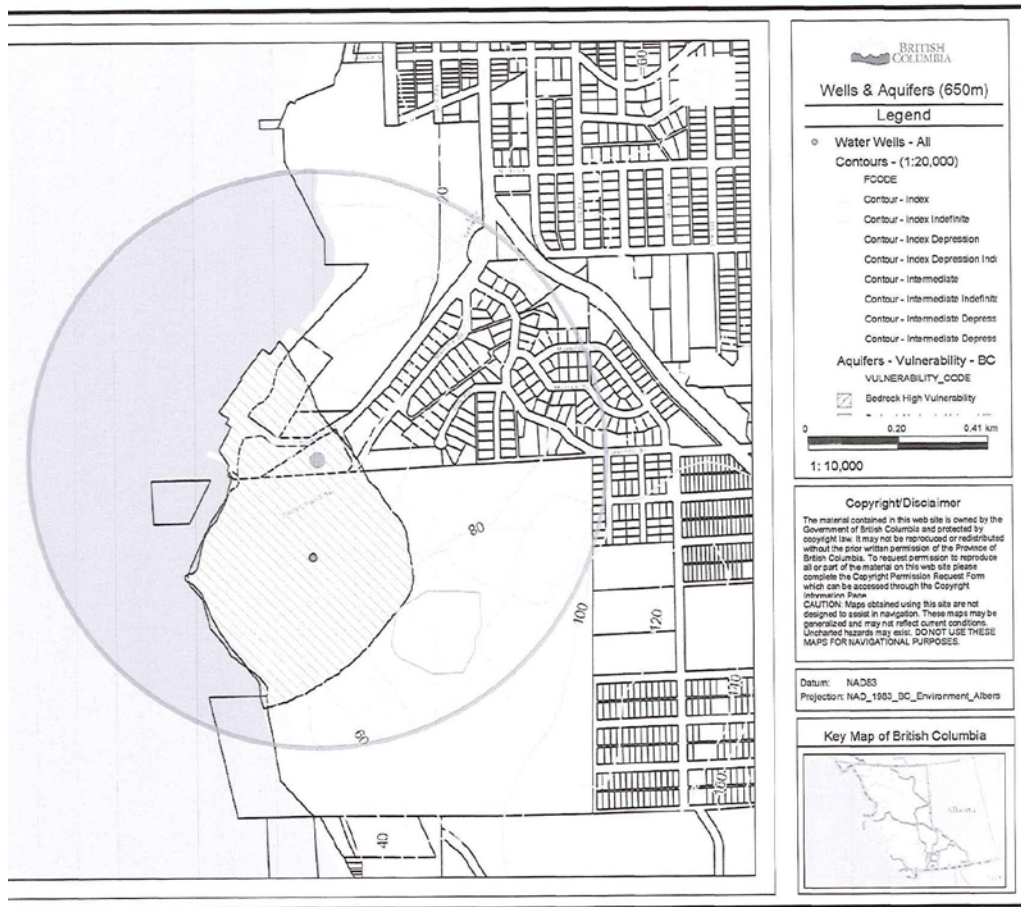
5.27.3 Conditions of Use

- (a) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (b) All portions of a required *front yard* not *used* for permitted parking or display areas shall be fully and suitably *landscaped* and properly maintained.
- (c) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*. Required front *screening* shall be situated so as to conform with the *front yard setback* provisions.
- (d) All activities and *uses* shall be conducted within a completely enclosed *building* except for parking, loading, outside storage and product display *uses*.
- (e) Along any *lot* line adjacent to an R, RR, or RM *zone*, a continuous *landscape buffer*, excluding any areas *used* for access, shall be provided and shall be not less than 1.8 m (5.9 ft) in height.

5.27.4 Site Specific Uses

The following *uses* shall be permitted on a site specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Medical Marihuana Facility	4921 Bute St.	Lot A, District Lot 1, Alberni District, Plan VIP31847



WATER & SEWER SERVICE CONNECTION RECORD CARD

NOTE: Distances in meters unless otherwise shown

THIS DRAWING IS FOR CITY OF
PORT ALBERNI RECORDS ONLY.
THE CITY OF PORT ALBERNI
DOES NOT GUARANTEE THE
ACCURACY OR COMPLETENESS OF
THE INFORMATION CONTAINED
IN THE DRAWING

HOUSE No.	STREET	D.L.	BLK.	LOT	PLAN		
2170	MALLORY DR	1	-	1	77152		
		STORM INSTALLATION DATE - CONNECTION DATE - SIZE - mm LENGTH - RISER - FITTING AT MAIN - BENDS - DEPTH AT PROPERTY LINE - DIST from D/S M.H. TO FITTING ON MAIN - MEASURED -		WATER INSTALLATION DATE UNKNOWN CONNECTION DATE - SIZE COPPER mm DISTANCE FROM MAIN TO CURB STOP, METER - CORP. STOP - CURB STOP - COUPLINGS - REDUCER - SHUT OFF DEPTH - MEASURED SHUT OFF 20.4m SOUTHEAST OF GATE POST JUST OUTSIDE FENCE AS SHOWN.		SEWER INSTALLATION DATE - CONNECTION DATE - SIZE - mm LENGTH - RISER - FITTING AT MAIN - BENDS - DEPTH AT PROPERTY LINE - DIST from D/S M.H. TO FITTING ON MAIN - MEASURED -	

Excellent health and care for everyone,
everywhere, every time.



September 5, 2017

Cara Foden
Development Services Technician
City of Port Alberni
Development Services Department
4850 Argyle Street
Port Alberni, BC V9Y 1V8

Dear Cara:

**RE: Application for Zoning Bylaw Amendment, Lot 1, District Lot 1, Alberni District, Plan
VIP77152, 2170 Mallory Drive**

Thank you for the opportunity to provide comment on the Zoning Bylaw amendment for 2170 Mallory Drive. The past few years have seen significant advances in linking land use planning with health outcomes; such as, the encouragement of physical activity, improved injury prevention strategy, cleaner air and healthier living environments, access to health services, restoration of natural environments to promote ecosystem functioning amongst other potential health criteria.

How communities are planned and built, and the services and resources provided within them, directly impacts people's physical, mental, and social health. These impacts are reflected in levels of social cohesion, mental, and physical fitness, chronic disease, obesity, and injury.¹

All of these health effects arise in part from our interaction with the built environment, e.g. the buildings, parks, schools, road systems and other infrastructure that we encounter in our daily lives. Research indicates that we can improve health and reduce illness through different approaches to planning our communities.

Island Health (VIHA) appreciates the opportunity to provide evidence-based recommendations and comments for this amendment. Below we have noted highlights and recommendations pertaining to the healthy built aspects of this proposed amendment:

Highlights:

The intent of this application is to carry out light industrial activity on an existing property that was used for industrial/commercial activity in the past. The property borders industrial designated land on one side and will fit with use. As well, the existing utility building is buffered by mature trees. The preservation of this natural environment will provide privacy for adjacent residents, and also provide a barrier to noise and helps improve air quality.

Regulatory Considerations:**Drinking Water**

The present development on the property is currently serviced by Port Alberni Water Works, which has been issued an operating permit under the *Drinking Water Protection Act*. Under the *Drinking Water Protection Act* and *Regulation*, any construction, installation, alteration or extension of a) a water supply system, or b) works facilities, or equipment that are intended to be a water supply system or part of a water supply system, must be issued a construction permit with our Public Health engineer and consult with our Drinking Water Officer (for more information: <http://www.viha.ca/mho/water/> or call 250-755-6215).

Section 23(1) of the *Drinking Water Protection Act* states that a person must not introduce anything or cause or allow anything to be introduced into a domestic water system or do or cause any other thing to occur if this will result in a drinking water health hazard in relation to a domestic water system. Therefore, the proposed activities on the development must not contaminate the Port Alberni Water Works system.

Sewerage Disposal

Sewage disposal for the proposed development must be in compliance with the *Sewerage System Regulation* or the *Municipal Wastewater Regulation*.

Recommendations under Island Health's Healthy Built Environment Initiative:

The applicant is requesting a text amendment to existing Zoning Bylaw 2014, No. 4832, with the intent of maintaining long-term residential designation with institutional zoning. The applicant is proposing to utilize the site for a mechanical/small engine repair shop with woodworking activities. The site in its existing condition as well as the proposed activity lends itself to industrial zoning.

The proposed operation of the site aligns with the industrial designation definition on page 22 of the Official Community Plan, in that it is a repair operation. Light industrial zoning will allow the application of sec 5.27.3 conditions of use. Given the nature of the activity, these conditions of use should be applied to this property.

The Phase 1 Environmental Assessment list several recommendations for this site that would need to be carried out in the event of redevelopment or demolition of the existing building, including an underground storage tank scan, soil testing and a hazardous materials survey (for the building demolition) and the potential for a Phase 2 Environmental Assessment. These recommendations suggest that the site may not be ideal or conducive for residential development.

Given the proposed activity and past use of this site, the requested text amendment will neither achieve the most suited use nor conditions of use for this property.

If you have any questions or comments, please contact the undersigned for further clarification or discussion.

Yours sincerely,



Angela Wheeler, CPHI(C)
Regional Built Environment Consultant

c.c.: Alicia Parayno, District Environmental Health Officer, Port Alberni, Island Health
Charlene MacKinnon, Senior Environmental Health Officer, Campbell River, Island Health

¹ Provincial Health Services Authority (PHSA) (2008). *Introduction to Land Use Planning for Health Professionals*. Retrieved June 5, 2017 from:
<http://www.phsa.ca/Documents/introductiontolanduseplanningforhealthprofessional.pdf>



CITY OF PORT ALBERNI

DEVELOPMENT SERVICES DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Scott Smith, Director of Development Services

DATE: December 14, 2017

SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment
4233 Cedarwood Street
Lot 3, Block 4, District Lot 1, Alberni District, Plan 9060 (PID: 005-519-454)
Applicant: J. and R. Elliot

Issue

The purpose of this report is the consideration of an application for a text amendment to the Zoning Bylaw that would impact the community and all properties within the City included in the C3 Service Commercial zone.

Background

The applicant set up approximately 20 shipping containers on 4233 Cedarwood Street to operate as a mini storage business without City approval and shortly thereafter the City received a bylaw complaint. An application has been made to amend the text of the Zoning Bylaw to permit industrial 'Shipping Containers as Mini Storage', as a Principal Permitted Use in the C3 Service Commercial (C3) zone. The applicant has submitted some information (see attached) on shipping containers.

'Enclosed Storage and Warehousing, including Mini-Storage' is a permitted use in the C3 zone, however all such uses are required to be enclosed within a building (Sec. 5.20.3 (b)). The condition of use requiring business activity to be conducted within a building is a common requirement in all the City of Port Alberni commercial zones.

Shipping containers are not recognized, or regulated, as structures/buildings under the BC Building Code (B.C.B.C.). The applicant does not wish to enclose the shipping containers in a building as defined under the B.C.B.C.

Shipping containers are increasingly being considered for purposes other than shipping/transporting goods however there are factors, such as building code and safety standards, potential impacts on neighbourhoods and/or other small businesses located in similarly zoned commercial areas, that should be considered when deciding where, and under what conditions, a community should permit them to be used.

Official Community Plan and Zoning Bylaw

- a) The Official Community Plan Bylaw designation for 4233 Cedarwood Street is 'General Commercial' on the Schedule A – Land Use Map. An amendment has not been requested.
- b) The site is included in the Official Community Plan Bylaw 'Development Permit Area No. 2 General Commercial'. An amendment to the Official Community Plan Schedule B – Development Permit Area Map has not been requested.
- c) The property at 4233 Cedarwood Street, is currently zoned 'C3 – Service Commercial' on the Zoning Bylaw Schedule - A Zoning Map. An amendment to the Zoning Bylaw Schedule A - Zoning Map has not been requested.
- d) 'Shipping Containers as Mini Storage' is not a 'Principle Permitted Use' in the C3 zone. A **text amendment** to the Zoning Bylaw is requested to add '**Shipping Containers as Mini Storage**' to Section 5.20.1 Principal Permitted Uses in the C3 zone. Text changes to the Conditions of Use section around the regulation for all business to be conducted with a completely enclosed building would also be required.

Discussion

Official Community Plan

General Commercial land use areas in the Official Community Plan (including C3 zone) are meant to *"identify areas that permit a wide range of uses such as retail, office, entertainment, food and beverage, and mixed commercial/residential use. The purpose is to maximize the economic and social vitality of these areas."*

The use of shipping containers, in the place of a building for any type of business operation, even a mini-storage facility is not supported in the Official Community Plan. The City of Port Alberni has Form and Character Development Permit Area guidelines (see attached) to ensure high quality development in the commercial areas of the community. Shipping containers do not meet these guidelines adopted in the OCP.

It is the Development Services Department's professional opinion that the proposed use of shipping containers as a mini storage on the site is not in alignment with the goals and policies, for Commercial land use, in the OCP.

Zoning:

The property is zoned C3 – Service Commercial and is located on the northwest corner of Cedarwood Street where the street bends 90 degrees to run in a northerly direction. There are ±24.5 metres (80.25 ft.) of frontage along Cedarwood Street at the most southerly end of the parcel. The lot depth is ±45.7 metres (150 ft.) along the north/south oriented Cedarwood Street frontage. The total lot area is ±1118.3 m² (12,037.5 ft²).

Areas within the City that are zoned C3 Service Commercial would be impacted by the proposed amendment (see attached map of C3 zoned Areas). '*Shipping Containers as Mini-Storage*' would become permissible on all parcels shaded in red on the attached map. 3rd Avenue, 4th Avenue and a sizeable area in the Southport downtown core would be opened up to the use of '*Shipping Containers as Mini-Storage*' as a Principle use. It should be noted that as a Principle use there would be no requirement that a building exist on the parcel.

Fencing / Screening and Landscaping

The applicant has asked that the arrangement of the containers be considered adequate as a form of screening. Given that the containers are designed to be mobile and temporarily stored, the use of the containers to fulfill screening requirements would not be appropriate. The applicant has indicated that they plan to landscape both frontages along Cedarwood Street. It is recommended that if the application is supported that the applicant be required to provide a Landscaping Plan acceptable to the City and security.

Other Municipalities

Squamish: *If a shipping container is not being used for the transporting of goods and it is used to support an occupancy (i.e.: storage of people, animals or things) then it will be considered a building. A building permit is required to place a shipping container that will be used as a building. The District of Squamish Zoning bylaw must be followed and the container may need alterations so that it can meet BC Building Code minimum requirements.*

<https://squamish.ca/business-and-development/home-land-and-property-development/builders-corner-blog/does-a-shipping-container-need-a-permit/>

Nanaimo: See attached. *Prohibited in all zones with exceptions as detailed. (See attached)*

North Cowichan: *Summary: Shipping containers are permitted in the Industrial zones only and are restricted to use as accessory storage only.*

In the Light Industry (I1) zone a maximum of 2 shipping containers per site are permitted where used as accessory storage. 'Shipping containers as storage' is not a principle permitted use. In Heavy Industry zone (I2) the maximum number of shipping containers is 10 for accessory storage only. (One container per 0.4 ha to a max. of 10 containers).

<http://www.northcowichan.ca/documents/Cache/Zoning%20Bylaw.pdf>

Surrounding Area

The area includes a diverse mixture of park, school and childcare facility, and residential uses as well as other C3 zoned parcels occupied by commercial operations.

North: To the north the area is primarily single family residential use that borders the Roger Creek ravine and the Fall Fair equine arena. There are numerous trails in the Roger Creek ravine and the area is heavily treed.

South: To the south, facing 10th Avenue, there are a number of commercial uses including Circle Dairy, Rayner and Bracht Trucking and L.A. Marine boat sales.

East: Immediately to the east across Cedarwood St. there is a children's daycare/pre-school facility (Stepping Stones Too) and playground as well as sports fields. There is also a Youth Centre.

West Immediately adjacent to the west is an auto transmission repair shop facing onto 10th Avenue. Across 10th Avenue the uses include a mix of commercial (Sign shop and Computer repair shop) operations and residential use.

Impact of Heavy trucking traffic on neighbourhood

Trucks and Equipment that might be used in the moving, loading and unloading of shipping containers are shown below. Current or future business operations will use trucks and equipment that suit their own business needs and this would also apply to other areas zoned C3.

It should be considered that truck traffic required for the operation of the proposed business, and possible future business, would involve heavier and larger trucks moving through the neighbourhood.



Infrastructure

Water: There is a water main located on both frontages along Cedarwood Street.

Storm: There is a storm main located on both frontages along Cedarwood Street.

Sewer: There is a sanitary sewer main located on Cedarwood Street along south frontage only.

There are overhead private utilities located along Cedarwood Street.

Referral Comments

BC Hydro: No effect - just do not stack containers within limits of approach of high voltage.

Building Inspector: See attached Referral Response comments

Ministry of Transportation and Infrastructure: Interests unaffected by proposal.

Options

1. Proceed with the proposed amendment to the C3 Service Commercial zone. This option is not recommended.
2. Deny the proposed amendment. Recommended.

Conclusions

In considering the Zoning amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the site and for the community.

It is important to note that all parcels currently zoned C3 would be impacted in both the immediate and the long term future. Significant portions of both the Southport and Northport downtown core areas are zoned C3 and would become potential sites for mini- storage in the form of Shipping Containers. The inclusion of '*Shipping Containers as Mini-Storage*' as a principle use in many of those areas would not advance the revitalization efforts and goals outlined in the Waterfront North Study (2014) and the Uptown and Waterfront Redevelopment Study (2007).

The application is not in alignment with the objectives and policies for General Commercial land use and the Development Permit area guidelines in the Official Community Plan. The Development Services Department does not support the proposed bylaw amendment.

The Zoning bylaw does not specifically regulate Shipping Containers. The Advisory Planning Commission may wish to recommend to City Council that they direct staff to prepare a report recommending specific regulations for Shipping Containers in the City of Port Alberni.

If the Advisory Planning Commission supports the proposed amendment to the Zoning bylaw then the following motion could be considered:

1. *That the Advisory Planning Commission recommends to City Council to proceed with an amendment to the text of the Zoning Bylaw to allow Shipping Containers as a Mini Storage use, including regulations for the Conditions of Use section of the C3 zone regarding shipping containers.*

Recommendations

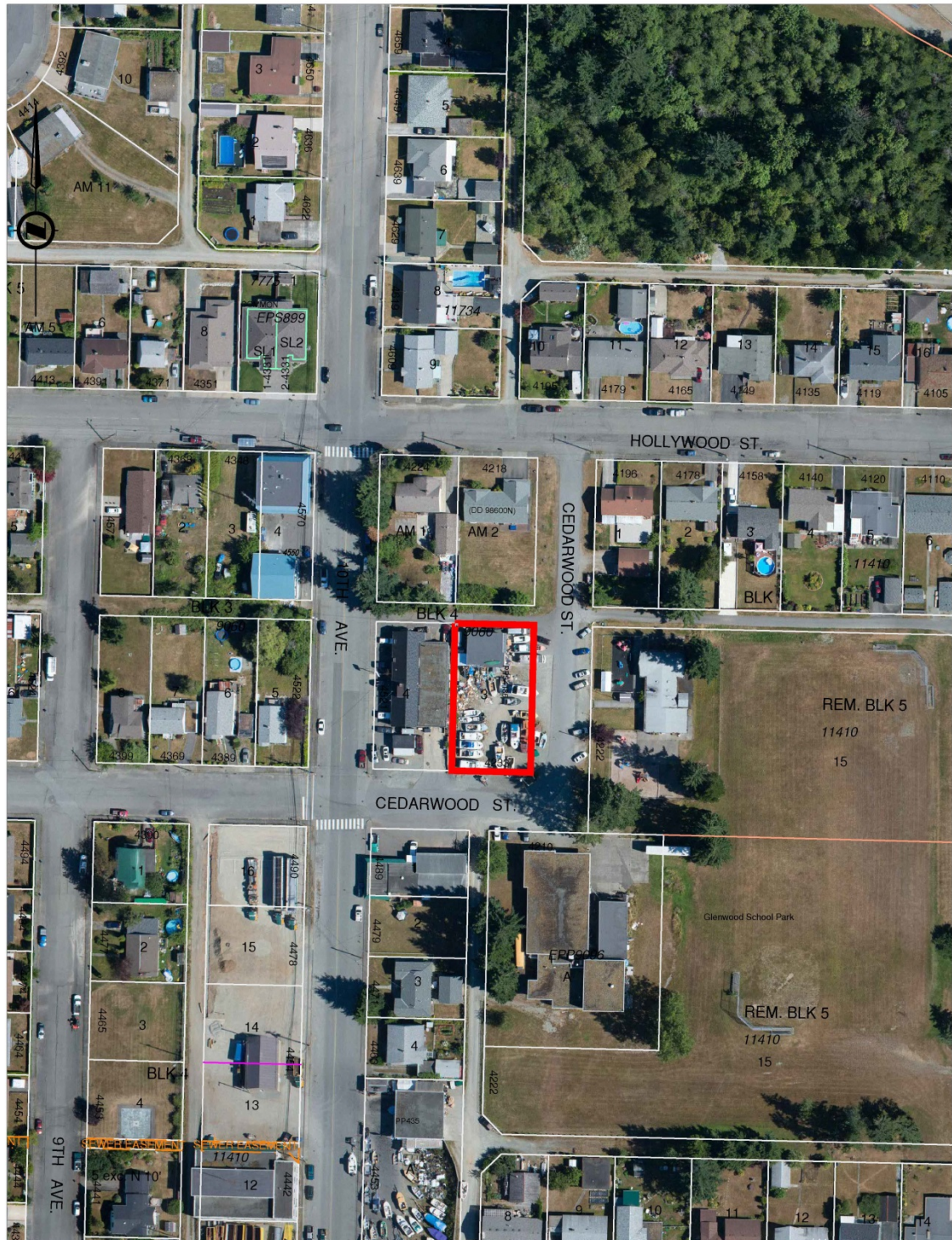
1. *That the Advisory Planning Commission recommends to City Council that the application for a text amendment to the Zoning Bylaw to add '*Shipping Containers as Mini-Storage*' in C3 Service Commercial zone be denied.*

Respectfully submitted,

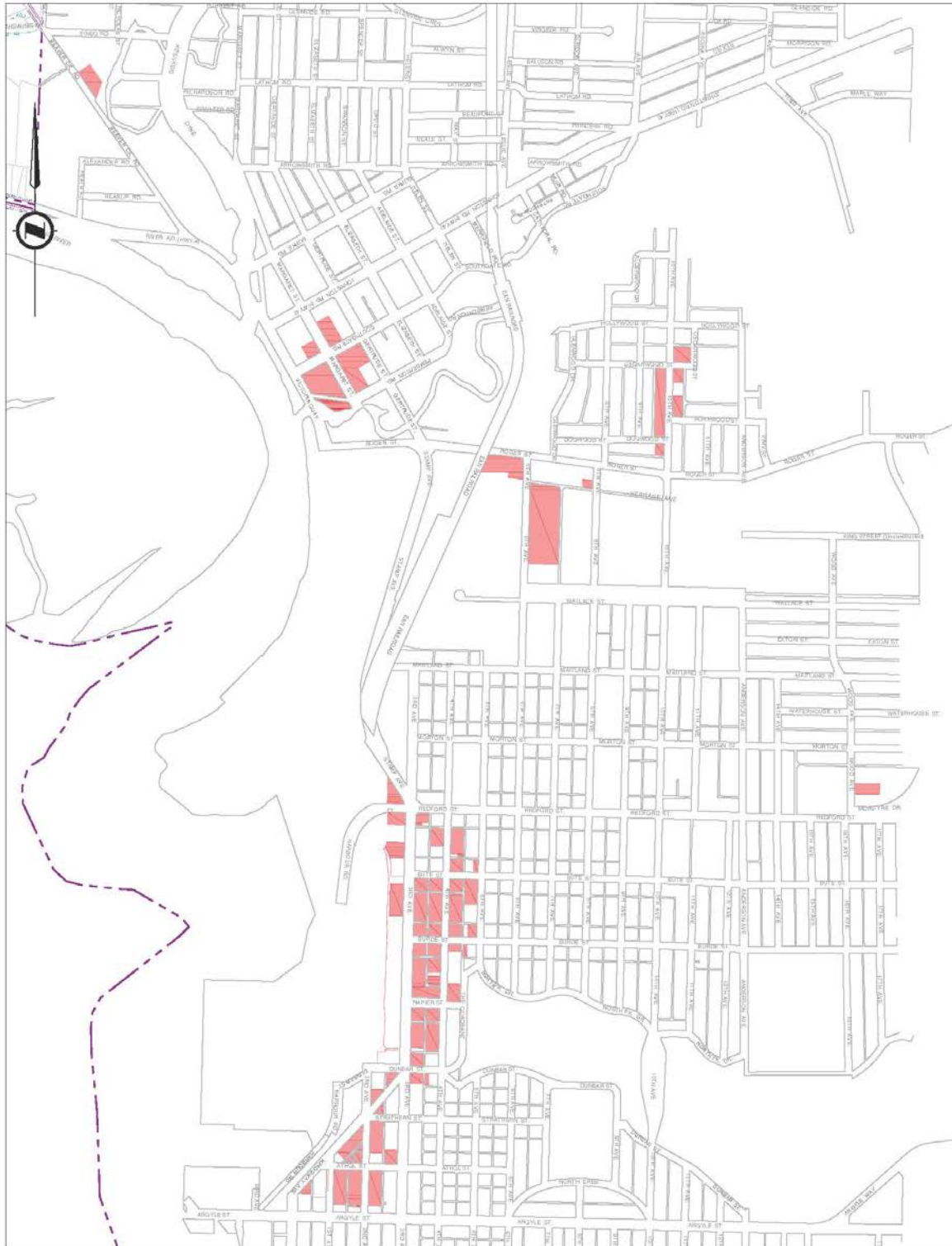


Scott Smith, MCIP
Director of Development Services

SUBJECT PROPERTY



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C3 SERVICE COMMERCIAL AREAS (shaded in red)

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1.1 Development Permit Area No: 2 Commercial Development

Area

That area marked Development Permit Area No. 2 as shown on Schedule “B” to this Bylaw is hereby designated as a development permit area.

Justification

The justification for the designation of this Development Permit Area is the highly visible location of the areas within the City with its implications for community image. The intent of this Development Permit Area is to ensure high quality development.

Guidelines

i) Scale, Form and Character

1. A “box-like” appearance or a horizontal emphasis in building design shall be avoided. Building massing, walls, facades and roof lines shall be varied, articulated, stepped or indented. Except for Highway Commercial (HCO), building massing should be close to the street to unify the street elevation as a whole, and architectural detailing shall reflect appropriate scale, proportion and arrangement to enhance the pedestrian quality of the streetscape.
2. Buildings at road intersections should reinforce the corner definition and highlight entrance ways. Buildings should front both roads.
3. Building materials shall be of a high standard to convey quality and permanence.
4. Variations in the use of facade finishes shall be used to create a varied and attractive appearance. The use of wood as an architectural feature is encouraged.
5. Entrances and windows should be highlighted through vertical facade articulation including roof line or cornice accents or other architectural features.
6. Continuous weather protection shall be provided over pedestrian focal points on exterior building walls.
7. All roof top mechanical equipment shall be screened from view and should blend in with the roof line.
8. Loading areas, garbage and recycling bins shall be completely screened.
9. The design of buildings, parking lots, lighting and open space shall take into consideration the principles of CPTED (Crime Prevention through Environmental Design).

ii) Signage, Landscaping, and Parking

1. The size, location and design of signage shall be architecturally integrated with the overall design of the buildings and landscaping and should be at a pedestrian scale. Signs shall comply with the City of Port Alberni Sign Bylaw.
2. On-site lighting shall be designed to minimize light spillage onto adjacent properties.
3. Parking areas that are visible from the street shall be screened through the use of landscaping.
4. Landscaping shall be used to define public space and to create an enhanced streetscape image, and to soften a land use transition.

City of Port Alberni – Building Department – Referral Response:

“Containers transformed for use as “buildings” seem to be problematic in general and in the longer term. They do not meet the BC Building Code as built, because they were purpose built as shipping containers and were never really designed for any other purpose. The shipping industry themselves has determined for their own reasons, albeit mostly safety, that containers have a finite life.

As containers, they need to be certified by a third party as to the extent that they do meet the BCBC as a building. This is where the system is limited and starts to fail a regulator. A third party, usually an engineer, will state that the container is capable of meeting the minimum structural requirements of the code and is capable of tolerating local wind and rain loads on the roof of the unit. That’s where the “certification/evaluation” usually ends.

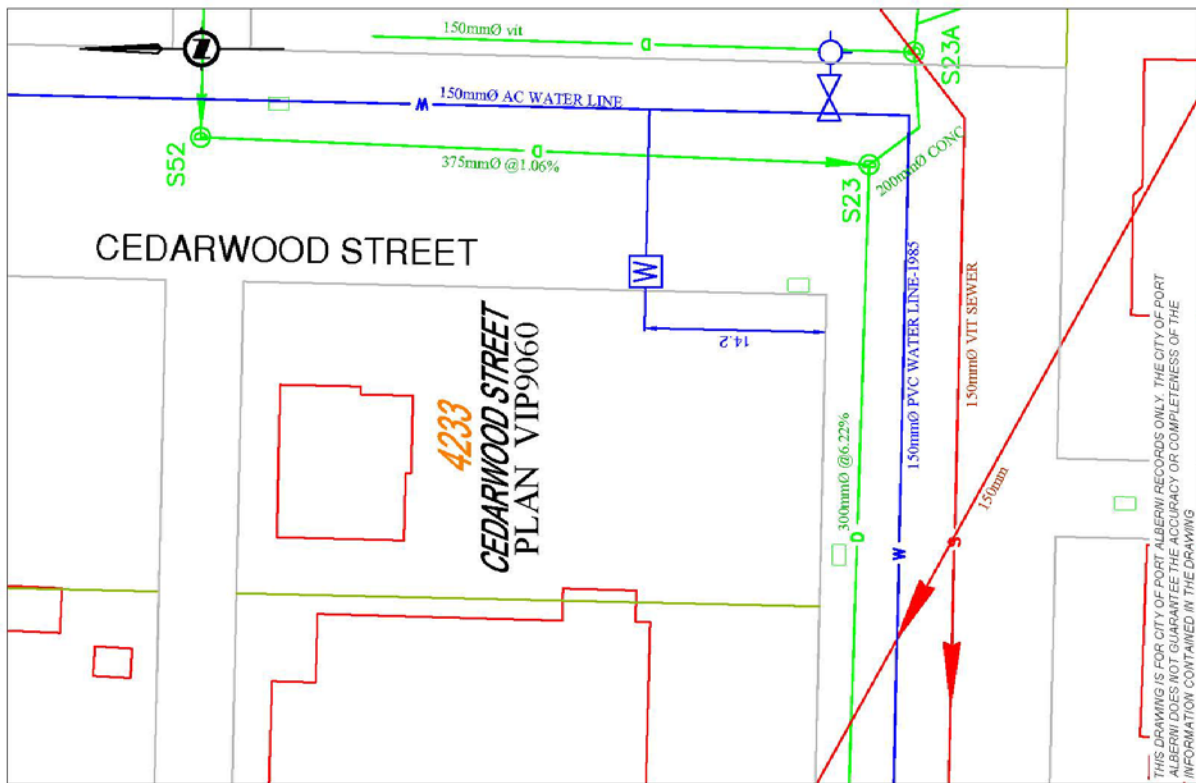
No comments are ever provided as to their suitability, what time will do to their appearance or what needs to be done to ensure a container maintains its third party certification or how they need to be maintained to remain as they were the day they were placed.

As the focus is the BCBC, the third party certification never provides an equal comparison or appraisal against other buildings that were built in the area to the BCBC. This simply means that as buildings, containers are not ever on an equal footing with the established norm.

WATER & SEWER SERVICE CONNECTION RECORD*NOTE: Distances in metres unless otherwise shown*

HOUSE #	STREET #	LOT #
4233	CEDARWOOD STREET	3
DISTRICT LOT #	BLOCK #	PLAN #
1	4	VIP9060
STORM	WATER	SEWER
INSTALLATION DATE UNKNOWN	INSTALLATION DATE UNKNOWN	INSTALLATION DATE UNKNOWN
CONNECTION DATE UNKNOWN	CONNECTION DATE UNKNOWN	CONNECTION DATE UNKNOWN
SIZE mm	SIZE mm	SIZE mm
DIST. MAIN TO P/L	DIST. FROM MAIN TO CURB STOP	LENGTH
RISER	CORP. STOP	RISER
FITTING AT MAIN	CURB STOP	FITTING AT MAIN
BENDS	COUPLINGS	BENDS
DEPTH AT P/L	REDUCER	DEPTH AT P/L
DIST. FROM DISM. H. TO FITTING ON MAIN	SHUT OFF DEPTH	DIST. FROM DISM. H. TO FITTING ON MAIN
MEASURED	MEASURED 14.2m N OF SE PROPERTY CORNER.	MEASURED

NOTES:
-WATER METER IS 1.5m E OF PROPERTY LINE.



Bylaw 4832

C3 – SERVICE COMMERCIAL

5.20 The purpose of this *zone* is to establish and maintain areas for *retail* and service operations that are vehicle-oriented or require large storage areas.

5.20.1 Permitted usesPrincipal Uses

Ambulance station
 Amusement establishment
 Appliances and electronics, sales and repair
 Artist's studio
 Automotive sales, repair and servicing
 Bakery
 Bank or other financial institution
 Boat or recreational vehicle sales and repair
 Building supply
 Cartage and delivery services
 Catering establishment
 Club or lodge
 Contractor's shop
 Custom woodworking
 Enclosed storage and warehousing, including mini storage
 Garden shop, nursery and landscape supplies
 Gasoline service station
 Glass shop
 Medical service
 Office

Principal Uses (continued)

Pawn shop
 Personal service
 Petroleum products, wholesale
 Prefabricated buildings sales
 Printing, publishing and allied industry
 Recycling depot
 Restaurant, including drive-through
 Retail
 Signs and displays industry
 Transportation dispatch and depot
 Veterinary clinic
 Wholesale

Accessory Uses

Caretaker's dwelling unit, subject to Section 6.16
 Outdoor storage

Site Specific Uses:

Liquor, wine and beer store

5.20.2 Site Development Regulations

Minimum Lot Area	930 m ²	(10,011 ft ²)
Minimum Frontage	30 m	(98.4 ft)
Maximum Coverage	75%	
Minimum Setbacks:		
Front yard	0 m	
Rear yard	3 m	(9.84 ft)
Side yard	0 m	
Maximum Height, Principal Building	10 m	(32.8 ft)
Maximum Number of Principal Building Storeys	2	

5.20.3 Conditions of Use

- (a) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*.
- (b) All industrial, business, repair or servicing *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or outdoor storage areas, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- (c) No *club or lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.

5.20.4 Site Specific Uses

The following *uses* shall be permitted on a site specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Liquor, Wine and Beer Store	3684 3rd Avenue	<i>Lot 1, District Lot 1, Alberni District, Plan EPP30558</i>

Nanaimo Zoning Regulations for Shipping Containers:

<https://www.nanaimo.ca/ByLaws/ViewBylaw/4500.pdf#nameddest=GenReg>

6.2 CONTAINERS (4500.017; 2012-JUN-11)

6.2.1 The use of land for the placement of containers shall be prohibited in all zones, with the following exemptions:

6.2.1.1 Containers may be used for shipping as related to 'Truck and Boat Terminal', 'Dock' or 'Railway Yard' uses permitted in the Industrial (I4) zone.

6.2.1.2 Containers shall be permitted as an accessory use for a temporary period, subject to the following requirements:

Zones	Length of Temporary Use	Max Allowable Size of Container	No. of Containers Permitted on Property
I4	2 years, provided a location permit has been obtained.	30m ²	No more than 2
I1, I2 and I3	1 year, provided a location permit has been obtained.	30m ²	No more than 1
CC3, CC4, and DT6	6 months within a calendar year, provided a location permit has been obtained.	30m ²	No more than 1
All Other Zones	30 days within a calendar year, provided a location permit has been obtained.	20m ²	No more than 1

6.2.1.3 Notwithstanding 6.2.1.2, the container shall only be used to store materials or products that are incidental to the operation of the business or facility located on the parcel and shall not be used for mini-storage.

6.2.1.4 Notwithstanding 6.2.1.2, no container may be located within the setback area, as specified within the applicable zone, and within 3m from any lot line adjoining a property zoned for residential use.

6.2.1.5 A container may be used for the temporary storage of tools and materials during the construction or maintenance of any utility, building or structure for which a required building permit has been obtained and remains active, provided the container is removed within 14 days upon completion of the construction.

6.2.1.6 One container per lot intended for use as an emergency preparedness kiosk shall be permitted in all Community Service zones, to a maximum of 20m² in area.

6.2.1.7 The manufacture of containers is permitted as an 'Industry' or 'Light Industry' use in the Highway Industrial (I1), Light Industrial (I2), High Tech Industrial (I3) and Industrial (I-4) zones.

6.2.1.8 The sale and rental of containers is permitted as an 'Equipment Rentals and Sales' in the Highway Industrial (I1) and Light Industrial (I2) zones.









Jay & Rachel Elliott
5705 Strick Rd.
Port Alberni, BC V9Y 8W4

September 13, 2017

To: Scott Smith
Director of Developmental Services
City of Port Alberni

Re: Bylaw Enforcement File #15786

We are requesting a text amendment to the bylaws of C3 zoning. We are requesting that the bylaw recognizes "shipping containers" for what they are and to include them in the list of definitions. We are requesting that shipping containers may be permitted for use on C3 zoned properties.

To be specific in our request, we would like to use shipping containers for a Mini-Storage facility where the units may remain mobile and can be transported off location for loading/unloading before returning back to the home base and rented on-site as a mini-storage unit. The bylaw does not currently permit the use of shipping containers on city property or as storage units.

A shipping container in every way meets the description of the definition of mini-storage as defined in the City of Port Alberni bylaws: **MINI-STORAGE** means self-contained storage rental units, with independent external entrances, for the storage of general household goods, vehicles and the like.

A shipping container is defined as a container with strength suitable to withstand shipment, storage and handling.

Each shipping container has a valid CSC (Container Safety Convention) plate that lists manufacturer, container type, date manufactured, loading and racking information and serial number. Shipping container design is also regulated by ISO (International Standards Organization).

Benefits of shipping containers for storage:

- they are strong, secure and waterproof
- they have strong, thick steel walls and easily accept bulky, heavy goods (allowable stacking load per container is 423,280 lbs)
- they have tight seals around the doors to prevent dust, water, pests and rodents from gaining access.

- they are secure with a lock box, aswell as a number of other spots to put padlocks.
- they have large double doors that fully open allowing for the storage of large items.
- they can be transported to off site locations for loading and unloading which means less handling of goods within the storage facility.

We have also provided the following for your review:

- sample pictures of mini-storage facilities that use shipping containers.
- picture of a CSC Plate.
- wind ratings and load capacities
- static and dynamic design loads (as tested in accordance of ISO)

Thank you for your consideration of our request,



Jay and Rachel Elliott

Big Green Storage in Nanaimo:**Big Steel Box in Ladysmith:****Adams MOBOX in Victoria:**

APPROVED FOR TRANSPORT UNDER CUSTOMS SEAL	
GB / C 11473 BV / 2012	
TYPE	MANUFACTURER'S NO. OF THE CONTAINER
CX10-2052	3220
Spinmaker Equipment Services, Inc. 580 California Street, 16th Floor San Francisco, CA 94104 / U.S.A. www.spinmakerequipment.com	
TIMBER COMPONENT TREATMENT IW/Radaleum FHP-60/2016	
OWNERS SERIAL NO. SERU 216	
CSC SAFETY APPROVAL	
F / EV / 11883 / 12	
DATE MANUFACTURED	01 / 2017
IDENTIFICATION NO.	3220
MAXIMUM OPERATING GROSS MASS	30,480 kg 67,200 lbs
ALLOWABLE STACKING LOAD FOR 1.6g	192,000 kg 423,280 lbs
TRANSVERSE RACKING TEST FORCE	150,000 newtons
FIRST MAINTENANCE EXAMINATION DATE 11/2022	



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Wind isn't something a lot of people regularly think about, especially when it comes to using a shipping container for a storage unit or modular housing component, and in most circumstances it's not a factor that needs to be considered. However, if you live in a flat area prone to extreme wind conditions the discussion is bound to come up. Note that we're not discussing tornados or other weather events that can cause upward drafts, this is simply wind.

When shipping containers are loaded onto a vessel for shipping, they're stacked several wide, and several high, then lashed down to the boat to prevent them from rocking overboard in heavy swells, or being blown off in high winds. Along with the lashing they are able to gain support strength by being closely stacked together. When you have a single container in the open plains you don't have the "strength in numbers" benefit; however, wind still isn't something that you should be overly concerned about.

Wind load is calculated by finding the wind pressure, coefficient of drag, force, and area. There are a couple of different formulas, but the easiest one to use is this:

$$F = A \times P \times Cd$$

F = Force

A = Area

P = Wind Pressure

Cd = Coefficient of Drag (for a flat surface such as a container it would be 0.6)



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If your organization or insurance company requires an exact rating I suggest that you contact a local engineer to do the math for you. If you don't need an exact number, or just want to ballpark the number before you decide if you should be concerned, here are some general wind load ratings for shipping containers.

10' shipping container					Steel
20' shipping container			Aluminium		Steel
40' shipping container		Aluminium			Steel
40' high cube container	Aluminium		Steel		
45' shipping container		Aluminium	Steel		
	110 mph	120 mph	130 mph	140 mph	150 mph

These numbers are not to be used for exact calculations, as container specifications vary somewhat between manufacturers and shipping lines. As I stated before, if you need exact calculations you'll want to find a qualified engineer familiar with your area to certify that your container structure is safe.

If you have any questions about shipping containers in general, finding a qualified engineer, or building a container structure or storage facility, feel free to [contact ContainerAuction.com](#) or any of the listed sellers directly with your questions.

Residential Shipping Container Primer (RSCP™)

Home

ISO Shipping Containers and Building Code Requirements

General Comments on ISO Shipping Container's Inherent Capacity to Satisfy Building Code Requirements in Shipping Container House Applications:

ISO shipping cargo containers are tested in accordance with the requirements of International Standard ISO 1496/1 which stipulates static and dynamic design load factors to be complied with. In the case of a 20' steel container, it is designed to have a maximum gross weight of 52,910 lbs (typically has a tare weight of around 5,000 lbs and a payload (P) potential of 47,910 lbs). The container when loaded to its maximum gross weight must be capable of withstanding imposed loads of 2g downwards, 0.6g lateral and 2g longitudinal plus be able to withstand eight similar containers loaded to maximum gross weight stacked on top of it in a ship's hold or at a land terminal. It therefore has a very severe operational life and, notwithstanding its low tare weight it is very strongly built.

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The side walls and end walls/doors have to withstand loadings of 0.6P and 0.4P respectively, these values equate to 28,746 lbs and 19,164 lbs based upon the payload given above. The side wall area in contact with the load is 146.56 sq. ft. giving a pressure of 196 lbs/sq. ft. Corresponding figures for the end wall/doors are 51.78 sq. ft. and 370 lbs/sq. ft. These figures are well in excess of the 20 lbs/sq. ft. wind load required for structures less than 50 ft. high. A wind of 100 MPH produces a pressure of only 30 lbs/sq. ft.

The roof load test is 660 lbs over an area of 2' x 1' applied to the weakest part of the roof. The load is usually applied at the center of the containers positioned with the 2' dimension aligned longitudinally. Thus the roof is able to support an imposed load of a minimum of 330 lbs/sq. ft. The design is easily capable of supporting the basic snow loads of 30 lbs per sq. ft. evenly distributed.

It is difficult to quantify uplift and suction forces. Unlike a building, the roof of a container is an integral part of the structure; it is continuously welded around its entire periphery and is itself made from sheets of corrugated 14 ga. Cor-Ten steel also continuously welded together. This steel, also used for the side and end walls has a minimum yield strength of 50 ksi, and tensile of 70 ksi. The probability of the roof being removed by these forces is practically zero as the entire container structure would have to be destroyed for this to happen.

However, it is not unusual for the complete container to be lifted or blown over if it is not secured to the ground in storm or hurricane conditions. This would be prevented by adequate foundation design which is the responsibility of the customer. As you know when containers do blow over in container yards the resulting damage is almost always minimal, another testimonial to their strength.

The floor is design to pass a concentrated load test of 16,000 lbs over a foot print of 44 sq. inches. The floor has also been designed to pass a test at twice its rated payload capacity of 47,895 for a 20 container and 58,823 lbs for a 40' container when evenly distributed.

<http://www.residentialshippingcontainerprimer.com/ISO%20Shipping%20Containers%20a...> 9/11/2017