

**CITY OF PORT ALBERNI**  
**PUBLIC HEARING AGENDA**

**Monday June 25, 2018 at 6:15 pm in the City Hall Council Chambers**

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

**Introductory Remarks by the Chair:** The Chair of the Public Hearing will describe the Public Hearing procedures.

**1. Description of the Application** *(To be read by the Clerk)*

**Applicant: L. George, 4742 Bute Street**

The applicant has applied to amend the text of the Zoning Bylaw by amending the definition of 'Family'. The amendment would permit up to six (6) unrelated, non-transient persons to occupy a provincially licensed Group Home in a Single Family Dwelling,

The proposed bylaw is:

"Zoning Bylaw Text Amendment No. T14 (Definition of Family - George), Bylaw No. 4965"

**2. Background Information from the Director of Development Services Report dated June 19, 2018.**

**3. Correspondence**

**4. Late Correspondence Regarding the Matter** *(To be read by the City Clerk)*

**5. Input from the Public regarding the Bylaw**

**6. Questions from Council:** (Members of Council may ask questions, through the Chair, of the Director of Development Services or of the members of the public who may have spoken.)

**7. Calling for any Further Input:** (To be asked three times by the Chair.)

Calling for any further input a first time:

Calling for any further input a second time:

Calling for any further input a third time:

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

After this Public Hearing has concluded, Council may, without further notice, give whatever effect Council believes proper to the representations made at this Hearing. In most cases, the Report of this Hearing will be presented to the next Regular Meeting of Council, where Council will decide whether or not to proceed with approving the application by way of passing further readings of the Bylaw.

Once this Public Hearing has terminated, members of Council may not, as a group or as individuals, receive any further oral or written presentations on this matter, including what might be perceived of as informal discussions immediately after the termination of this meeting. I ask all parties to comply with this.

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

*It was moved and seconded:*

*That this Public Hearing terminate at \_\_\_\_\_ pm.*



## CITY OF PORT ALBERNI NOTICE OF PUBLIC HEARING

Pursuant to Sections 464, 465, and 466 of the Local Government Act, Notice is hereby given that a Public Hearing will be held in the Council Chambers at City Hall, 4850 Argyle Street, Port Alberni, BC on **Monday, June 25, 2018 at 6:15 pm** to hear representation about the following proposed bylaw:

### A. "Zoning Bylaw Text Amendment No. T14 (Definition of Family - George), Bylaw No. 4965"

**APPLICANT: L. George** - The applicant has applied to amend the text of the Zoning Bylaw by amending the definition of 'Family'. The amendment would permit up to six (6) unrelated, non-transient persons to occupy a provincially licensed Group Home in a Single Family Dwelling. The amendment being considered is as follows:

#### A. Zoning Bylaw Text Amendment:

Applying to amend the text of the Port Alberni Zoning Bylaw 2014, No. 4832 by:

- a) Deleting the following text under Section 4 Definitions:  
*"Family means an individual or two or more persons related by blood, marriage, adoption or foster parenthood, or a group of not more than 5 unrelated non-transient persons, living together as a single non-profit group in a dwelling unit."*
- b) Adding the following text under Section 4 Definitions:  
*"Family means one or more persons related by blood, marriage or common law status, legal adoption, legal guardianship, or a group of not more than five (5) unrelated, non-transient persons, occupying a dwelling unit. No more than six (6) unrelated persons may occupy a provincially licensed Group Home in a Single Family Dwelling."*
- c) Adding the following text to Section 7.9 Required Amount of Parking table:

<u>Residential Use</u>	<u>Required Parking Spaces</u>
Single Family Dwelling	2 parking spaces plus 1 extra parking space where the home is operating as a provincially licensed Group Home

TAKE NOTICE THAT persons who deem their interest in property affected by the above noted bylaw amendment shall be afforded an opportunity to be heard before Council on matters related thereto. Written submissions should be addressed to City Council, 4850 Argyle Street, Port Alberni, BC, V9Y 1V8. The above noted bylaw amendment, together with Port Alberni Zoning Bylaw 2014, No. 4832, may be inspected at the offices of the Development Services Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from June 13, 2018 to June 25, 2018 during regular business hours (8:30 a.m. to 4:30 p.m.).

**DATED AT PORT ALBERNI, B.C.** this 13<sup>th</sup> day of June, 2018.  
Scott Smith, Director of Development Services



# CITY OF PORT ALBERNI

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## DEVELOPMENT SERVICES DEPARTMENT PUBLIC HEARING REPORT

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TO: Tim Pley, CAO

FROM: Scott Smith, Director of Development Services

DATE: June 19, 2018

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**SUBJECT: DEVELOPMENT APPLICATION - Proposed Zoning Bylaw Text Amendments**  
**4742 Bute Street - Lot 1, Block 18, District Lot 1, Alberni District, Plan 197B**  
**Applicant:** Lisa M. George

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### Issue

The City of Port Alberni is in receipt of an application for a text amendment to the Zoning Bylaw to amend the definition of 'Family' by increasing the number of unrelated persons permitted to occupy a single family dwelling from five (5) to six (6).

### Background

The applicant is the owner of 4742 Bute Street and operates the existing dwelling on the site as a Mental Health and Addictions Group Home providing supervision and care for five (5) clients in addiction recovery. The applicant has been asked by Island Health if she is able to provide another bed for clients and they have indicated that there is a shortage of group living accommodation in the community.

At this time the City does not define the term "Group Home" in the Zoning Bylaw. The City regulates the number of unrelated persons who may live together in a single family home which, by definition, is intended for use by one family ('family' is currently defined in the bylaw) as follows:

**Family** *"means an individual or two or more persons related by blood, marriage, adoption or foster parenthood, or a group of not more than 5 unrelated, non-transient persons, living together as a single non-profit group in a dwelling unit."*

### Official Community Plan Bylaw and Zoning Bylaw designations

- a) The property located at 4742 Bute Street is currently designated 'Residential' on the Official Community Plan Schedule A – Land Use Map. A map amendment has not been requested.
- b) The property is not included in a Development Permit Area on the Official Community Plan Schedule B – Development Permit Area Map. A map amendment has not been requested.

- c) The property located at 4742 Bute Street is currently zoned 'R2 – One and Two Family Residential' on the Zoning Bylaw Schedule - A Zoning Map. A map amendment has not been requested.
- d) In order to permit more than five (5) non-transient, unrelated persons to live together as a family a text amendment is recommended as follows:
- Delete text from Section 4 Definitions: *"Family means an individual or two or more persons related by blood, marriage, adoption or foster parenthood, or a group of not more than 5 unrelated non-transient persons, living together as a single non-profit group in a dwelling unit."*
  - Add text to Section 4 Definitions: *"Family means one or more persons related by blood, marriage or common law status, legal adoption, legal guardianship, or a group of not more than five (5) unrelated, non-transient persons, occupying a dwelling unit. No more than six (6) unrelated persons may occupy a provincially licensed group home in a single family dwelling."*
  - Add text to Section 7.9 Required Amount of Parking table to ensure the following objective is met: Single Family Dwelling – 2 parking spaces required plus 1 extra parking space where the home is operating as a provincially licensed Group Home

## **Discussion**

### **Surrounding Area**

East: Primarily residential use.

West: The area to the west of the site is primarily commercial with some residential use in the immediate vicinity. Further west is the 3<sup>rd</sup> Ave commercial corridor.

North: Primarily residential use.

South: Primarily residential use.

### **Infrastructure and Servicing:**

Water: There is a water main running along Bute St. and the building is currently connected.

Storm: No separate storm main available.

Sewer: There is a combined sanitary sewer/storm main running along Bute St. and the building is currently connected.

### **Group Homes and Parking**

In British Columbia, on Vancouver Island, the licenses required by Group Homes are obtained provincially or through Island Health. Group Homes are intended to fit into residential neighbourhoods within the community and are not subject to any special City permitting beyond what is required for a single family home. Private sector Group Homes require a City Business License. The Group Home at 4742 Bute Street has City Business License and meets the building and fire code requirements for the proposed 6 residents.

Most residents of Group Homes do not have vehicles, but the staff/care-givers need to have on-site parking to avoid impacting the neighbours. The Zoning Bylaw does not currently require any additional parking spaces for a Group Home. It is recommended that one additional parking space be required. The Group Home at 4742 Bute Street has four angle parking spaces at the rear of the property along the side lane.

Increasing the number of unrelated persons permitted to occupy a single family house, when operating as a provincially licensed Group Home, from five (5) to six (6) would not involve a large number of properties and would not have a major impact in the community. Increasing the number of unrelated persons allowed in all “dwelling units” is not supported as that would have a much wider impact in the community.

### **Status of the Application**

At the May 17, 2018 meeting of the Advisory Planning Commission the following motions were carried:

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with text amendments to Zoning Bylaw 2014, Bylaw No. 4382 as follows:*
  - a. Delete Section 4 Definitions text: *“Family means an individual or two or more persons related by blood, marriage, adoption or foster parenthood, or a group of not more than 5 unrelated non-transient persons, living together as a single non-profit group in a dwelling unit.”*
  - b. Add Section 4 Definitions text: *“Family means one or more persons related by blood, marriage or common law status, legal adoption, legal guardianship, or a group of not more than five (5) unrelated, non-transient persons, occupying a dwelling unit. No more than six (6) unrelated persons may occupy a provincially licensed Group Home in a single family dwelling.*
  - c. *Add the following text to Section 7.9 Required Amount of Parking table:*

<u>Residential Use</u>	<u>Required Parking Spaces</u>
<i>Single Family Dwelling</i>	<i>2 parking spaces plus 1 extra parking space where the home is operating as a provincially licensed Group Home</i>

At the May 28, 2018 regular meeting, City Council received and accepted the APC recommendations and gave 1<sup>st</sup> and 2<sup>nd</sup> reading to Zoning Bylaw Text Amendment No. T14 (Definition of Family – George) Bylaw No. 4965.

### **Conclusions**

In considering the Zoning amendment, City Council should consider whether the proposed amendment is appropriate for the community. In this instance the amendment would apply City wide, but be limited to provincially licensed Group Homes, including the applicant's property.

Respectfully submitted,



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Scott Smith, MCIP  
Director of Development Services



This is an aerial map of a residential neighborhood in St. Louis, Missouri. The map shows a grid of property lots, each labeled with a number. The streets shown are Bute St. at the top, Burde St. at the bottom, 5th Ave. on the left, and 6th Ave. on the right. A north arrow is located in the upper left corner. A specific lot, labeled '1' and '4742', is highlighted with a yellow border. This lot is situated on the east side of 5th Ave., between Bute St. and Burde St., and is part of a larger block bounded by 5th and 6th Aves. The surrounding lots are numbered in a grid pattern, with some lots having additional labels like 'A-4824', 'B-4824', 'C-4824', 'D-4824', 'E-4824', 'F-4824', 'G-4824', 'H-4824', 'I-4824', 'J-4824', 'K-4824', 'L-4824', 'M-4824', 'N-4824', 'O-4824', 'P-4824', 'Q-4824', 'R-4824', 'S-4824', 'T-4824', 'U-4824', 'V-4824', 'W-4824', 'X-4824', 'Y-4824', 'Z-4824'. The map also shows some trees, parking areas, and a few vehicles.

# CITY OF PORT ALBERNI

## BYLAW NO. 4965

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Bylaw Text Amendment No. T14 (Definition of Family - George), Bylaw No. 4965**".

2. Zoning Text Amendment

Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended as follows:

- a) By deleting the following text under Section 4 Definitions:  
*"Family means an individual or two or more persons related by blood, marriage, adoption or foster parenthood, or a group of not more than 5 unrelated non-transient persons, living together as a single non-profit group in a dwelling unit."*
- b) By adding the following text under Section 4 Definitions:  
*"Family means one or more persons related by blood, marriage or common law status, legal adoption, legal guardianship, or a group of not more than five (5) unrelated, non-transient persons, occupying a dwelling unit. No more than six (6) unrelated persons may occupy a provincially licensed Group Home in a Single Family Dwelling."*
- c) By adding the following text to Section 7.9 Required Amount of Parking table:

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READ A FIRST TIME THIS 28<sup>TH</sup> DAY OF MAY, 2018.

READ A SECOND TIME THIS 28<sup>TH</sup> DAY OF MAY, 2018.

A PUBLIC HEARING WAS HELD THIS DAY OF , 2018.

READ A THIRD TIME THIS DAY OF, 2018.

FINALLY ADOPTED THIS DAY OF , 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk