

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

**Monday, December 10, 2018 at 6:00 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: A. Richards – 3141 3<sup>rd</sup> Avenue**

The applicant is applying to amend the text of the Zoning Bylaw to facilitate the operation of a 'Microbrewery' in the C7 Core Business zone at 3141 3<sup>rd</sup> Avenue. The proposed amendment would apply to all properties within the City of Port Alberni that are designated C7 Core Business zone on the Zoning Bylaw Schedule A Zoning Map.

The proposed bylaw is:

"Zoning Text Amendment No. T16 (Microbrewery in C7 – Core Business), Bylaw No. 4974"

**2. Background Information from the Planning Technician and Consulting City Planner Report dated November 14, 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 Consulting City Planner 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, December 10, 2018 at 6:00 pm** to hear representation about the following proposed bylaw:

## A. "Zoning Bylaw Text Amendment No. T16 (Microbrewery in C7 – Core Business), Bylaw No. 4974"

**APPLICANT: A. Richards** - The applicant is applying to amend the text of the Zoning Bylaw to facilitate the operation of a 'Microbrewery' in the C7 Core Business zone at 3141 3<sup>rd</sup> Avenue. The proposed amendment would apply to all properties within the City of Port Alberni that are designated C7 Core Business zone on the Zoning Bylaw Schedule A Zoning Map. The amendment being considered is as follows:

### A. Zoning Bylaw Text Amendment:

1. Applying to amend the text of Port Alberni Zoning Bylaw 2014, No. 4832 by adding text to Section 5.24.1 under the list of Permitted Principal Uses in the C7 Core Business zone as follows:

*"Microbrewery"*

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 November 29, 2018 to December 10, 2018 during regular business hours (8:30 a.m. to 4:30 p.m.).

**DATED AT PORT ALBERNI, B.C.** this 29<sup>th</sup> day of November, 2018.

Joe Calenda, MCIP, RPP (Rtd.), DTM, City Planner





# CITY OF PORT ALBERNI

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## DEVELOPMENT SERVICES DEPARTMENT PUBLIC HEARING REPORT

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TO: Tim Pley, CAO

FROM: Cara Foden, Planning Technician

DATE: November 14, 2018

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**SUBJECT: DEVELOPMENT APPLICATION – Zoning Bylaw Amendment**  
**3141 3<sup>rd</sup> Avenue - Lot B, District Lot 1, Alberni District, Plan 36879**  
*(PID: 000-428-248)*  
**Applicant:** A. Richards dba Dog Mountain Brewing Ltd., Inc. No.  
BC1167845

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### Issue

At issue is the consideration of an application for a text amendment to the Zoning Bylaw to include 'Micro-brewery' as a permitted use in the 'C7 – Core Business' zone.

### Background

The owner of Dog Mountain Brewing Ltd. has made an application to amend the text of the Zoning Bylaw to permit a 'Microbrewery' in the C7 zone in order to facilitate the operation of a Microbrewery at 3141 3<sup>rd</sup> Avenue. The building would be used to brew craft beer for sale on-site and operate a tasting lounge. In addition to the zoning amendment the proposed Micro-brewery facility must obtain a Manufacturing License from the Liquor and Cannabis Regulation Branch (LCRB) to operate.

A 'Microbrewery' is currently a permitted use in the W1 – Waterfront Commercial zone and in the C3 Service Commercial zone. It is also included as a permissible accessory use in the C6 – Gaming Centre zone. Although 'Microbrewery' is a permitted, or accessory, use in these zones, there is only one existing 'Microbrewery' within the City and it is located towards the north end of the city close to the Northport Core Business area and Victoria Quay.

### Official Community Plan and Zoning Bylaw

- a) The property is currently designated 'General Commercial' on the Official Community Plan Schedule A – Land Use Map. No amendment is required.
- b) The property is currently included in 'Development Permit Area No. 2 General Commercial' on the Official Community Plan Schedule B – Development Permit Area Map. No amendment is required. A Development Permit will be required.

- c) The property is currently zoned 'C7 Core Business' on the Zoning Bylaw Schedule - A Zoning Map. No map amendment is required.
- d) 'Microbrewery' is not a Permitted Use in the C7 zone. A text amendment has been requested to add 'Microbrewery' to the list of permitted uses in the C7 Core Business zone.

## **Discussion**

### **Surrounding Area**

The area around 3141 3<sup>rd</sup> Avenue is the Southport downtown commercial core with primarily commercial uses located to the west and south. Single family and multi-family residential uses are predominate to the east with several formerly residential buildings now being used as transitional office commercial spaces. A multi-family residential apartment building is under construction on Athol Street northeast of the site.

### **Proposal**

The applicant has indicated that the intention is to renovate the building to include a 'Microbrewery' with a tasting room, lounge and roof top patio that will take advantage of views of the inlet. Improvements to the structure will be required to support the proposed roof-top patio that may include a pergola like structure and more seating.

The existing building at 3141 3<sup>rd</sup> Avenue is a single detached warehouse style building with a concrete foundation, concrete block walls and a wood framed, flat roof. The building is currently painted mauve/purple. (See photos attached). Drawings and elevations to show façade or structural changes will be required during the Development Permit and Building Permit processes. The building is located in the commercial Development Permit area and the applicant will need to apply for, and receive, a Development Permit prior to receiving a Building Permit.

A sketch of the proposed interior layout for the brewery is attached and shows a tasting room /lounge area at the front of the building. The rear end of the building will be used for the production of craft beer.

The nature of the proposed 'Microbrewery' business and the subject building would greatly benefit from some façade improvements to the building. Improvements to the exterior of the building would also support the City strategic Objective 4.1: Ensure an Inviting Community and Streetscape beautification.

The following definition of 'Microbrewery' is contained in the Zoning bylaw:

*"Microbrewery means a facility, for the manufacturing of beer, that produces less than 10,000 hectolitres per year and is licenced under a Manufacturing Licence by the Province of British Columbia and may include the following accessory uses: wholesaling of, tours of, retail sales of, and tasting of beer produced on-site."*

The applicant is requesting that 'Microbrewery' be added as a permitted use to the C7 – Core Business zone. This is not a site specific amendment request and an amendment to the C7 Core Business zone would be applicable to all properties within the City that are zoned C7.

The applicant has indicated that once they have reached full production the facility will produce approximately 4500 hectolitres of beer per year.

### Waste byproducts

There are some waste by-products from the brewing process. The applicant indicates that an arrangement has been made with a local company, Earth Land and Sea located on Sezai Road, south of the city, for them to take 100% of the byproduct and turn it into compost. It was also indicated that none of the spent ingredients would go to the Alberni Valley landfill.

### Steam and Odour management

The boil kettle will have a condensing unit built on to it, and the steam will be turned to liquid, captured and used for cleaning. Steam will not be discharged so odour issues should be minor. Twin City Brewing may be a good comparison. The applicants suggest that the amount of odour produced will be similar to that produced by the average restaurant. The intention is to meet or exceed City bylaw requirements.

### Alkali Cleaners

The applicants have provided information indicating that Sodium Hydroxide will be used for cleaning and Para-acetic acid for sterilization. The process will involve re-using these chemicals as much as possible, as the cleaning system will be self-contained and use a small tank. When discharge is necessary, the two chemicals would be mixed together to neutralize them prior to discharge. A catch basin is used to prevent as much solid organic material from discharging into the city sanitary system as possible.

### Development Permit

As the location falls within the Form and Character Development Permit Area No. 2 Commercial (General) the applicant will be required to apply for a Development Permit prior to receiving a Building Permit. The details regarding façade improvements, lighting and landscaping will be addressed during the Development Permit process however it is recommended that the applicant be required to submit elevation plans for improvements to the exterior of building prior to the public hearing in order that the public and City Council are able to better understand the proposal.

### Status of the Application

At the October 18, 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 a text amendment to the Zoning Bylaw as follows:*
  - a) *By adding the text "Microbrewery" to Section 5.24.1 the list of Permitted Uses in the C7 – Core Business zone.*
2. *That the Advisory Planning Commission recommends to City Council that the applicant be required to submit elevation plans for the proposed rooftop patio and façade improvements to the exterior of the building prior to a public hearing.*

At the November 13, 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 Text Amendment No. T16 (Microbrewery in C7 - Core Business), Bylaw No. 4974".

The applicant has submitted elevation plans and drawings for the proposed rooftop patio and façade improvements to the exterior of the building (see attached).

**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 to all properties designated as 'C7 – Core Business' zone.

Respectfully submitted,

CITY OF PORT ALBERNI



Cara Foden, Planning Technician

Reviewed by:



Joseph A. Calenda, MCIP, RPP (Rtd.), DTM  
Consulting City Planner to the City of Port Alberni

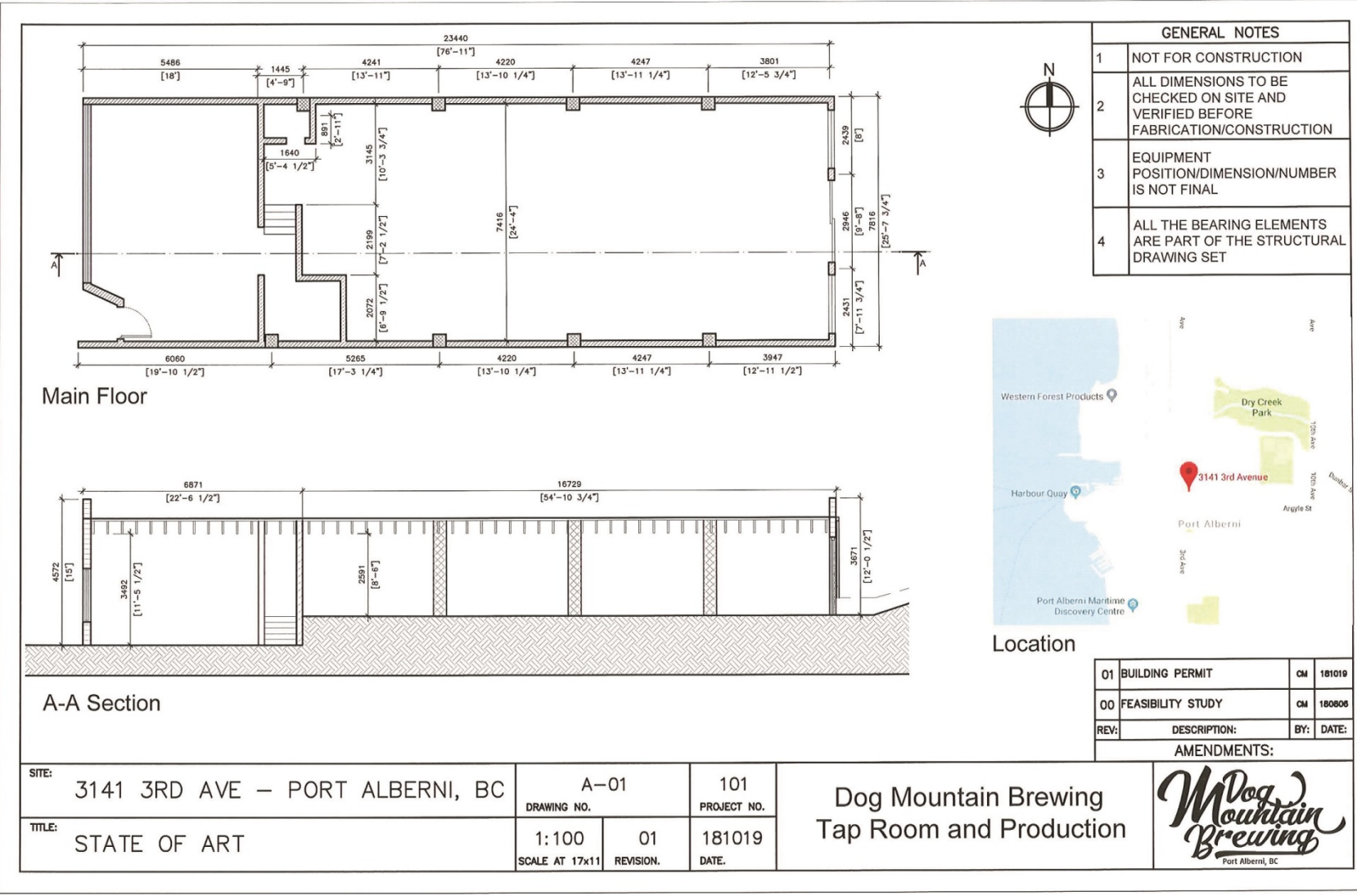
PROPERTY



J:\Engineering\Planning\Development Applications\Zoning\Amend\ZON-2018\3141-3rdAve-DogMountainBrewing\3141-3rdAve-DogMountainBrewing-Map-SiteMapWOrtho.dwg, 8/10/2018 11:28:05 AM



Current:



GENERAL NOTES	
1	NOT FOR CONSTRUCTION
2	ALL DIMENSIONS TO BE CHECKED ON SITE AND VERIFIED BEFORE FABRICATION/CONSTRUCTION
3	EQUIPMENT POSITION/DIMENSION/NUMBER IS NOT FINAL
4	ALL THE BEARING ELEMENTS ARE PART OF THE STRUCTURAL DRAWING SET

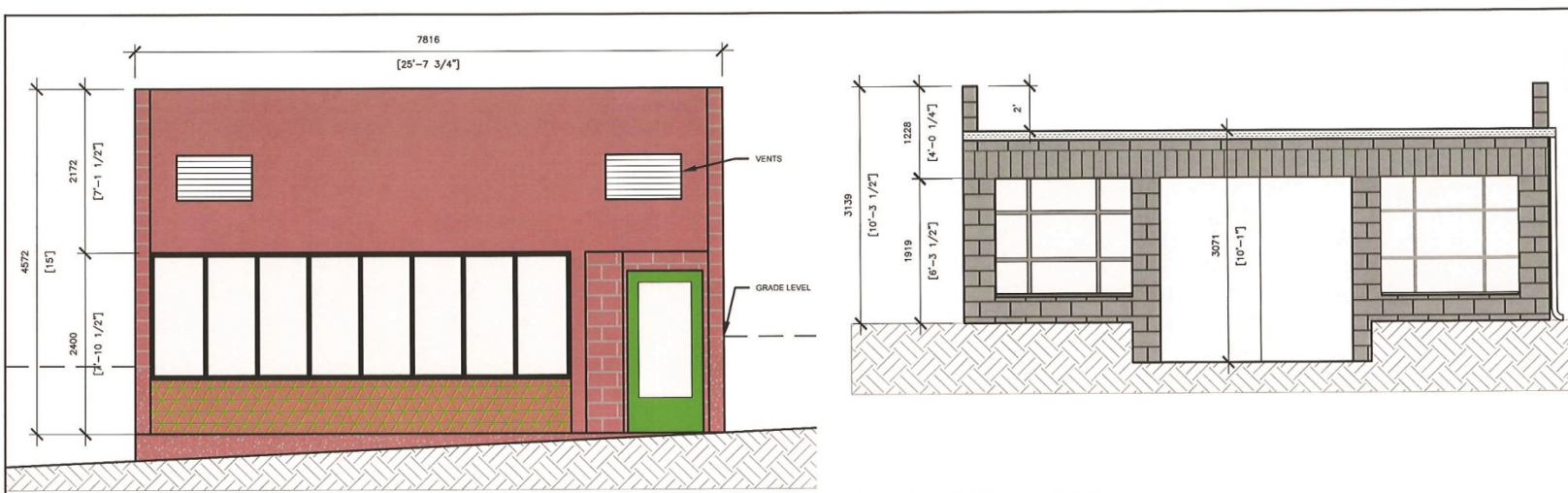
01	BUILDING PERMIT	CM	181019
00	FEASIBILITY STUDY	CM	180808
REV:	DESCRIPTION:	BY:	DATE:
AMENDMENTS:			

SITE:	3141 3RD AVE – PORT ALBERNI, BC	A-01	101
TITLE:	STATE OF ART	DRAWING NO.	PROJECT NO.
		1:100	181019
		SCALE AT 17x11	REVISION.
			01
			DATE.
			181019

**Dog Mountain Brewing Tap Room and Production**

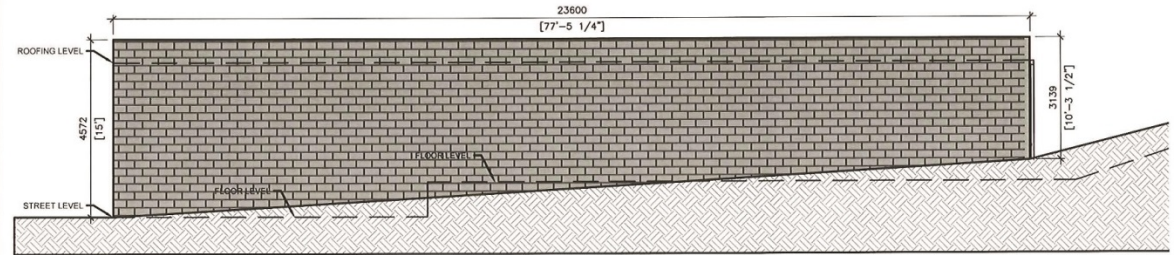


Current:




Front [West] View - 1:50

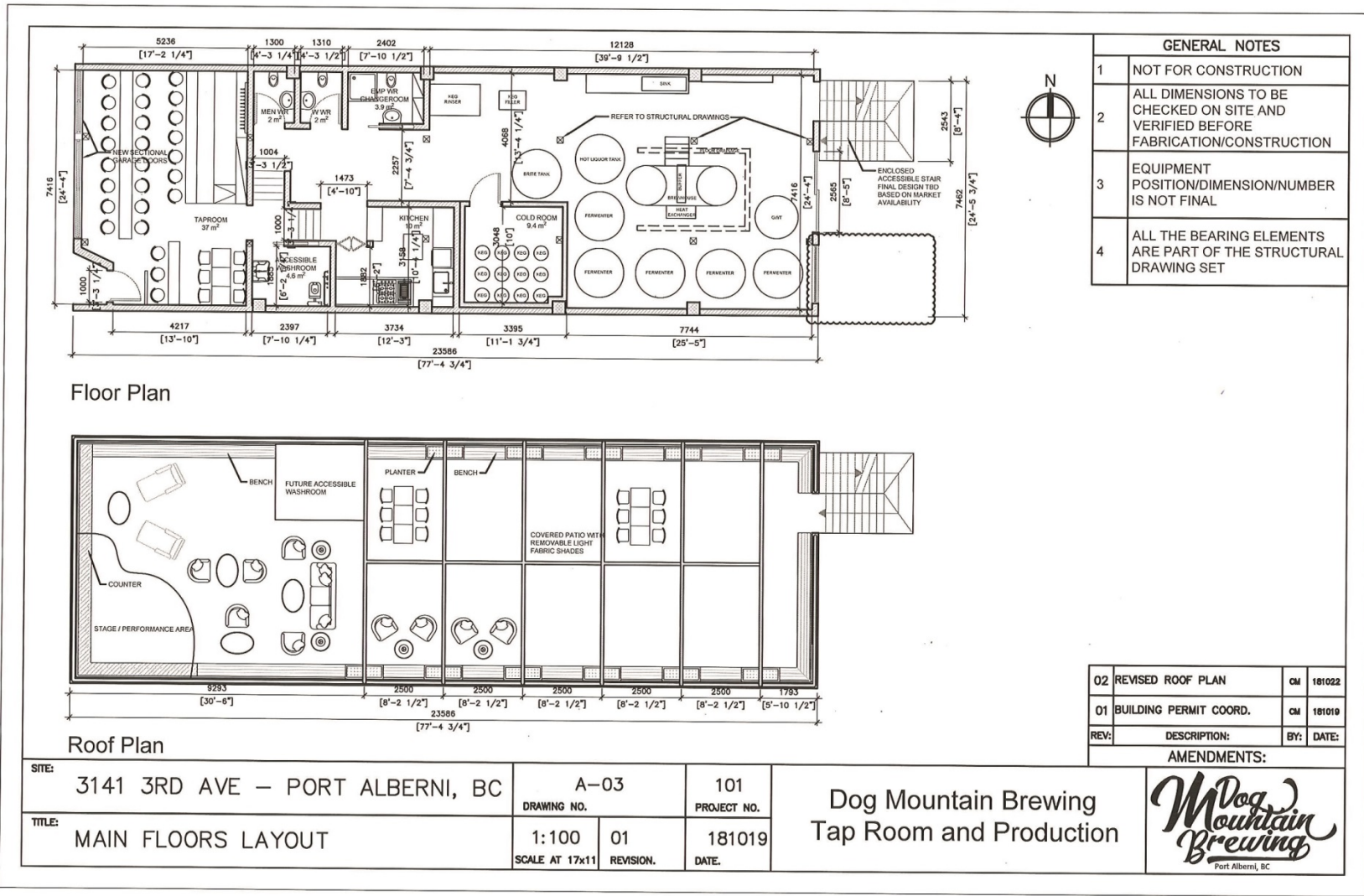
Rear [Est] View - 1:50



South View - 1:100

GENERAL NOTES		
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4	ALL THE BEARING ELEMENTS ARE PART OF THE STRUCTURAL DRAWING SET	
01	BUILDING PERMIT	CM 181019
REV:	DESCRIPTION:	BY: DATE:
AMENDMENTS:		

SITE: 3141 3RD AVE – PORT ALBERNI, BC		A-02 DRAWING NO.		101 PROJECT NO.		Dog Mountain Brewing Tap Room and Production			
TITLE: STATE OF ART – ELEVATIONS		MISC 01 SCALE AT 17x11 REVISION.		181019 DATE.					

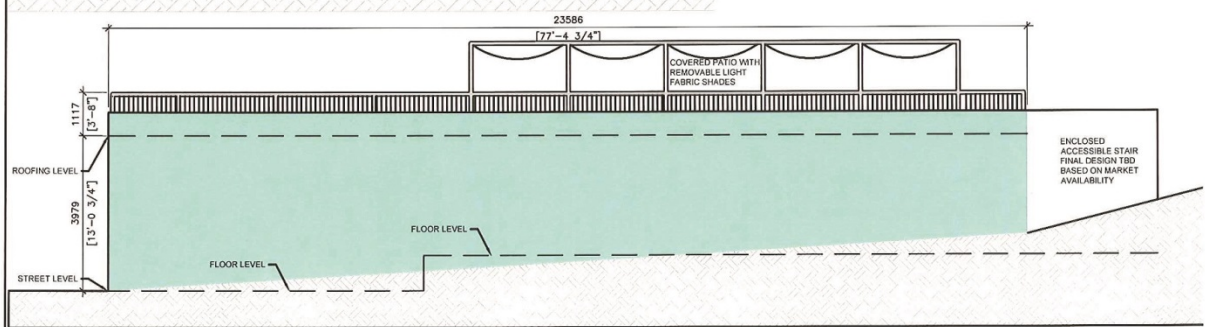




Front View [West] - 1:50  
 Paint: Sherwin Williams SW 6937  
 Tantalizing Teal, or equivalent




GENERAL NOTES	
1	NOT FOR CONSTRUCTION
2	ALL DIMENSIONS TO BE CHECKED ON SITE AND VERIFIED BEFORE FABRICATION/CONSTRUCTION
3	EQUIPMENT POSITION/DIMENSION/NUMBER IS NOT FINAL
4	ALL THE BEARING ELEMENTS ARE PART OF THE STRUCTURAL DRAWING SET



South Elevation - 1:100

02	REVISED ROOF PLAN	CM	181022
01	BUILDING PERMIT	CM	181019
REV:	DESCRIPTION:	BY:	DATE:

SITE: 3141 3RD AVE – PORT ALBERNI, BC		A-04 DRAWING NO.	101 PROJECT NO.	Dog Mountain Brewing Tap Room and Production	
TITLE: ELEVATIONS		MISC SCALE AT 17x11	01 REVISION.		

**CITY OF PORT ALBERNI**

**BYLAW NO. 4974**

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

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

1. Title

This Bylaw may be known and cited for all purposes as "**Zoning Text Amendment No. T16 (Microbrewery in C7 – Core Business), Bylaw No. 4974**".

2. Zoning Text Amendment

Port Alberni Zoning Bylaw 2014, No. 48325 is hereby amended as follows:

- a) By adding the following text to Section 5.24.1 under the list of Permitted Principal Uses in the C7 – Core Business zone:

*"Microbrewery"*.

**READ A FIRST TIME THIS 13<sup>TH</sup> DAY OF NOVEMBER , 2018.**

**READ A SECOND TIME THIS 13<sup>TH</sup> DAY OF NOVEMBER, 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