

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

**Monday, January 22, 2018 at 5:45 pm in the City Hall Council Chambers**

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

**A1. Description of the Application** (*City Clerk*)

This Public Hearing will proceed in two parts as follows:

**Part A - Applicant: C. Power, 3665 12<sup>th</sup> Avenue**

**Part B - Applicant: M. Sutherland, 2170 Mallory Drive**

**Part A - Applicant: C. Power, 3665 12<sup>th</sup> Avenue**

The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision of the property into two residential parcels.

The proposed Bylaw is:

- "Zoning Bylaw Amendment No. 28 (3665 12<sup>th</sup> Avenue), Bylaw No. 4955"

**A2. Background Information from the Director of Development Services Report dated January 12, 2018.**

**A3. Correspondence**

**A4. Late Correspondence Regarding the Matter** (To be read by the City Clerk)

**A5. Input from the Public regarding the Bylaw**

**A6. 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.)

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**B1. Description of the Application** (*City Clerk*)

**Part B - Applicant: M. Sutherland, 2170 Mallory Drive**

The applicant is applying to amend the Zoning Bylaw to facilitate several light industrial uses on the property.

The proposed Bylaw is:

- "Zoning Text Amendment T12 (Site Specific Uses – P1 Institutional) Bylaw No. 4956"

**B2. Background Information from the Director of Development Services Report dated January 17, 2018.**

**B3. Correspondence**

**B4. Late Correspondence Regarding the Matter** (To be read by the City Clerk):

**B5. Input from the Public regarding the Bylaw**

**B6. 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.)

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**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 Bylaws.

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:**

*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, January 22, 2018 at 5:45 pm** to hear representation about the following proposed bylaw:

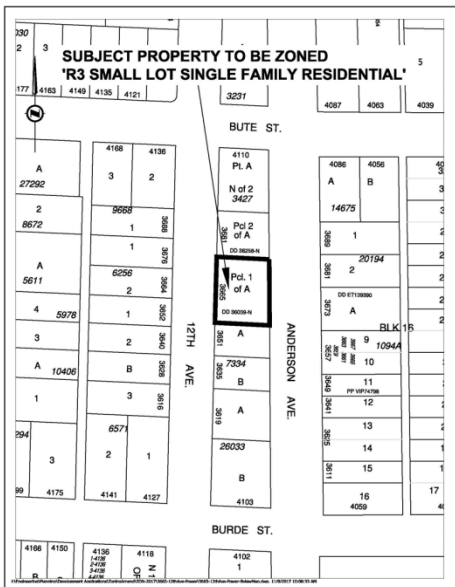
**A. "Zoning Bylaw Amendment No. 28 (3665 12th Avenue – Power), Bylaw No. 4955"**

**APPLICANT: C. Power** - The applicant is applying to amend the Zoning Bylaw to facilitate the subdivision of the property into 2 residential parcels. The amendment being considered is as follows:

**A. Zoning Bylaw Map Amendment:**

1. Applying to amend the **Schedule A Zoning District Map** which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 by re-zoning *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**, as shown outlined in heavy line on the map attached, from 'R2 - One and Two Family Residential' to '**R3 Small Lot Single Family Residential**'.

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 Planning Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from January 12, 2018 to January 22, 2018 during regular business hours (8:30 a.m. to 4:30 p.m.).



**DATED AT PORT ALBERNI, B.C.** this 12<sup>th</sup> day of January, 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: January 12, 2018

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**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**

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### 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 12<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> Avenue has  $\pm 30.47$  metres ( $\pm 100$  ft.) frontage along 12<sup>th</sup> Avenue and another frontage along Anderson Avenue of  $\pm 30.54$  metres ( $\pm 100.2$  ft.). The lot area is  $\pm 754.7$  m<sup>2</sup> ( $\pm 8,124$  ft<sup>2</sup>). 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 m<sup>2</sup> (3,767 ft<sup>2</sup>). 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  $\pm 754.7$  m<sup>2</sup> ( $\pm 8,124$  ft<sup>2</sup>) 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  $\pm 380.2$  m<sup>2</sup> and maximum lot coverage would be  $\pm 190.1$  m<sup>2</sup> ( $\pm 2,046$  ft<sup>2</sup>), with a building envelope of  $\pm 168$  m<sup>2</sup> ( $\pm 1,808$  ft<sup>2</sup>). 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  $\pm 374.5$  m<sup>2</sup>. The maximum lot coverage would be  $\pm 187.3$  m<sup>2</sup> ( $\pm 2,015$  ft<sup>2</sup>), with a building envelope of  $\pm 167.4$  m<sup>2</sup> ( $\pm 1,802$  ft<sup>2</sup>) 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 10<sup>th</sup> 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 appears to be on 12<sup>th</sup> Avenue, but will need to be confirmed.

Water: There is a water main along Anderson Avenue and along 12<sup>th</sup> 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 12<sup>th</sup> 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.

### **Status of the Application**

At the December 21, 2017 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 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 12<sup>th</sup> 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.*

At the January 8, 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 Map Amendment No. 28 (3665 12<sup>th</sup> Avenue - C. Power) Bylaw No. 4955.

### **Conclusions**

In considering the Zoning amendment, 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.

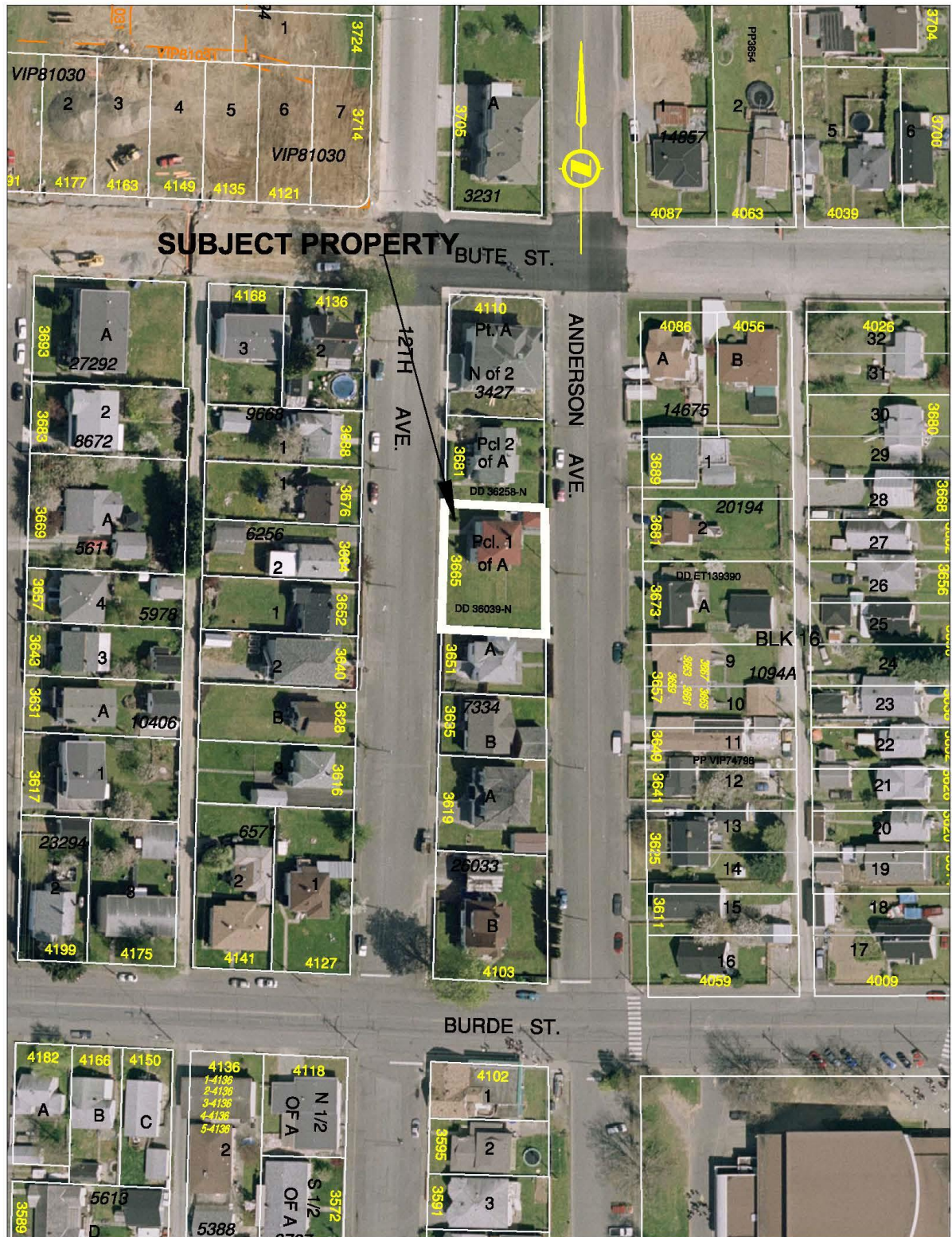
Respectfully submitted,



Scott Smith, MCIP  
Director of Development Services



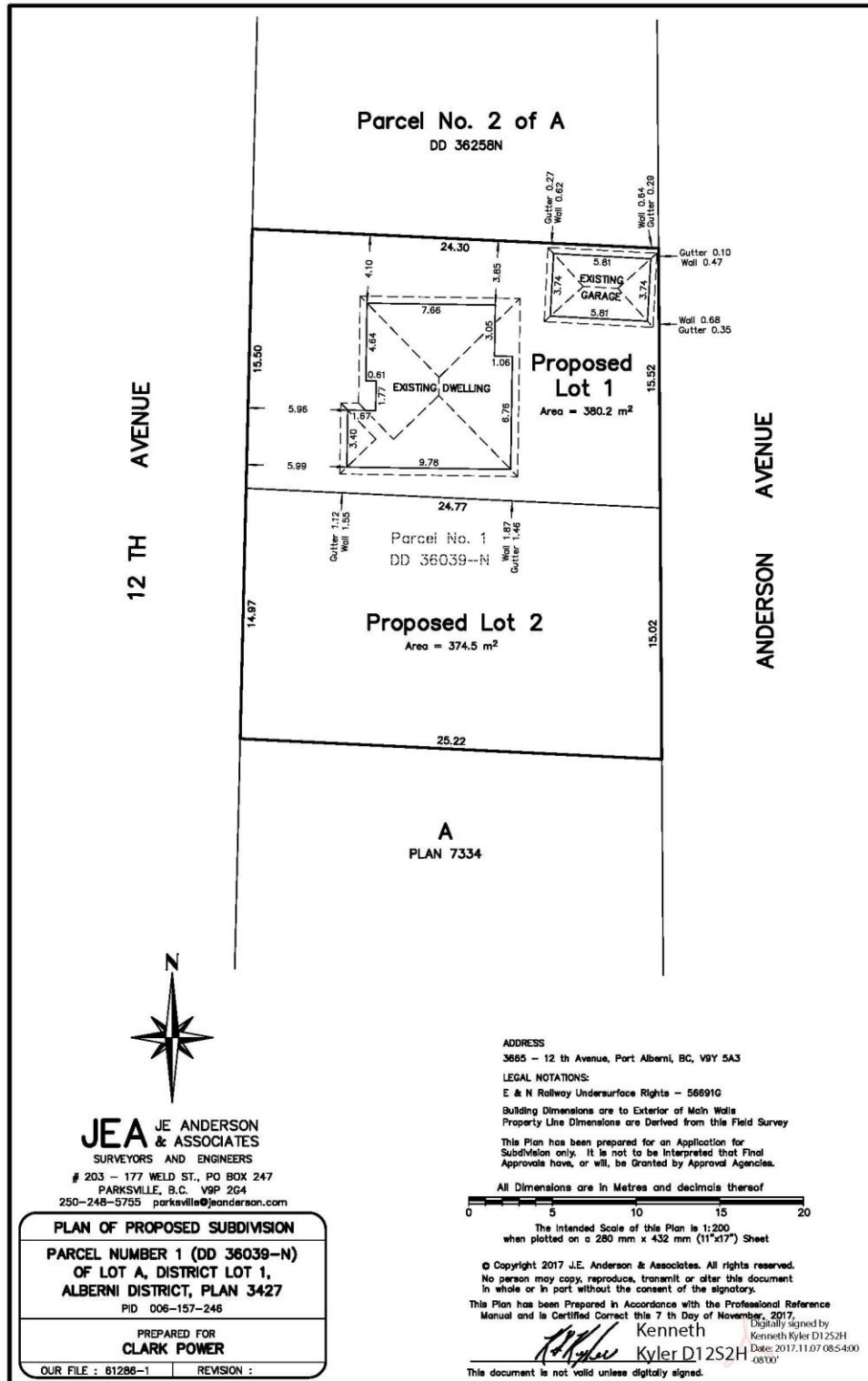
# AERIAL - 3665 12<sup>th</sup> AVENUE



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**PROPOSED SUBDIVISION**



**JEA** JE ANDERSON & ASSOCIATES  
 SURVEYORS AND ENGINEERS  
 # 203 - 177 WELD ST., PO BOX 247  
 PARKSVILLE, B.C. V9P 2G4  
 250-248-5755 parksvill@jeanderson.com

**PLAN OF PROPOSED SUBDIVISION**  
**PARCEL NUMBER 1 (DD 36039-N)**  
**OF LOT A, DISTRICT LOT 1,**  
**ALBERNI DISTRICT, PLAN 3427**  
 PID 006-157-246  
 PREPARED FOR  
**CLARK POWER**  
 OUR FILE : 61286-1      REVISION :

ADDRESS  
 3665 - 12 th Avenue, Port Alberni, BC, V8Y 5A3  
 LEGAL NOTATIONS:  
 E & N Railway Under surface Rights - 566910  
 Building Dimensions are to Exterior of Main Walls  
 Property Line Dimensions are Derived from this Field Survey  
 This Plan has been prepared for an Application for  
 Subdivision only. It is not to be interpreted that Final  
 Approvals have, or will, be Granted by Approval Agencies.

All Dimensions are in Metres and decimals thereof  
 0 5 10 15 20  
 The Intended Scale of this Plan is 1:200  
 when plotted on a 280 mm x 432 mm (11"x17") Sheet

© Copyright 2017 J.E. Anderson & Associates. All rights reserved.  
 No person may copy, reproduce, transmit or alter this document  
 in whole or in part without the consent of the signatory.  
 This Plan has been Prepared in Accordance with the Professional Reference  
 Manual and is Certified Correct this 7 th Day of November, 2017.  
 Digitally signed by  
 Kenneth  
 Kyle D12S2H  
 Date: 2017.11.07 08:54:00  
 -08'00'  
 This document is not valid unless digitally signed.

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 uses

Principal Uses

Single family dwelling

Accessory Uses

Home occupation

5.13.2 Site Development Regulations

Minimum Lot Area	350 m <sup>2</sup>	(3767 ft <sup>2</sup> )
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

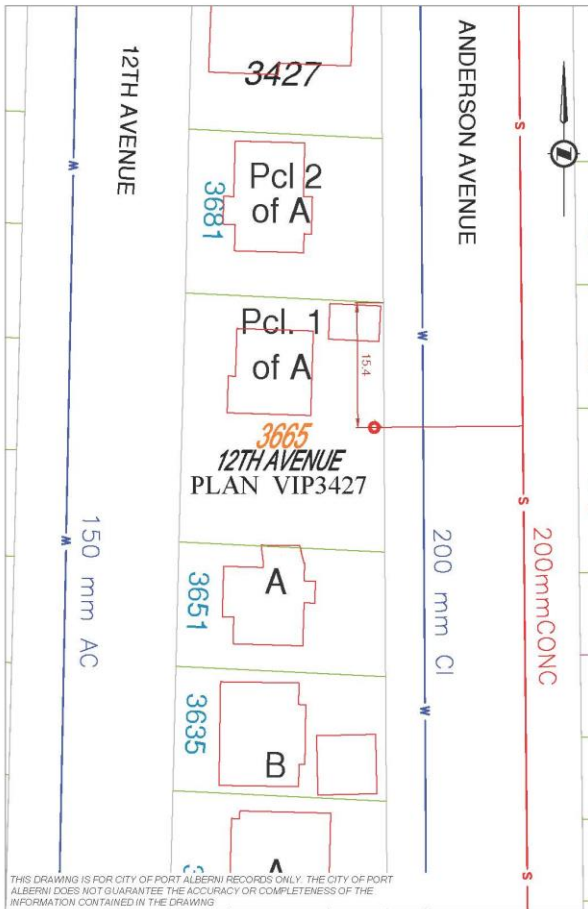
Notwithstanding the provisions of 5.13.2,

- (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 – 12<sup>th</sup> Avenue:







### WATER & SEWER SERVICE CONNECTION RECORD

NOTE: Distances in metres unless otherwise shown

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

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

**CITY OF PORT ALBERNI**

**BYLAW NO. 4955**

**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 Amendment No. 28 (3665 12th Avenue – Power), Bylaw No. 4955**".

2. Zoning Amendment

**2.1** That *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**, as shown outlined in bold on Schedule A attached hereto, and forming part of this bylaw, is hereby rezoned from 'R2 - One and Two Family Residential' to **'R3 Small Lot Single Family Residential'**.

3. Map Amendment

Schedule "A" (Zoning District Map) which forms an integral part of Port Alberni Zoning Bylaw 2014, No. 4832 is hereby amended to denote the zoning outlined in Section 2 above.

**READ A FIRST TIME THIS 8<sup>TH</sup> DAY OF JANUARY, 2018.**

**READ A SECOND TIME THIS 8<sup>TH</sup> DAY OF JANUARY, 2018.**

**A PUBLIC HEARING WAS HELD THIS      DAY OF      , 2018.**

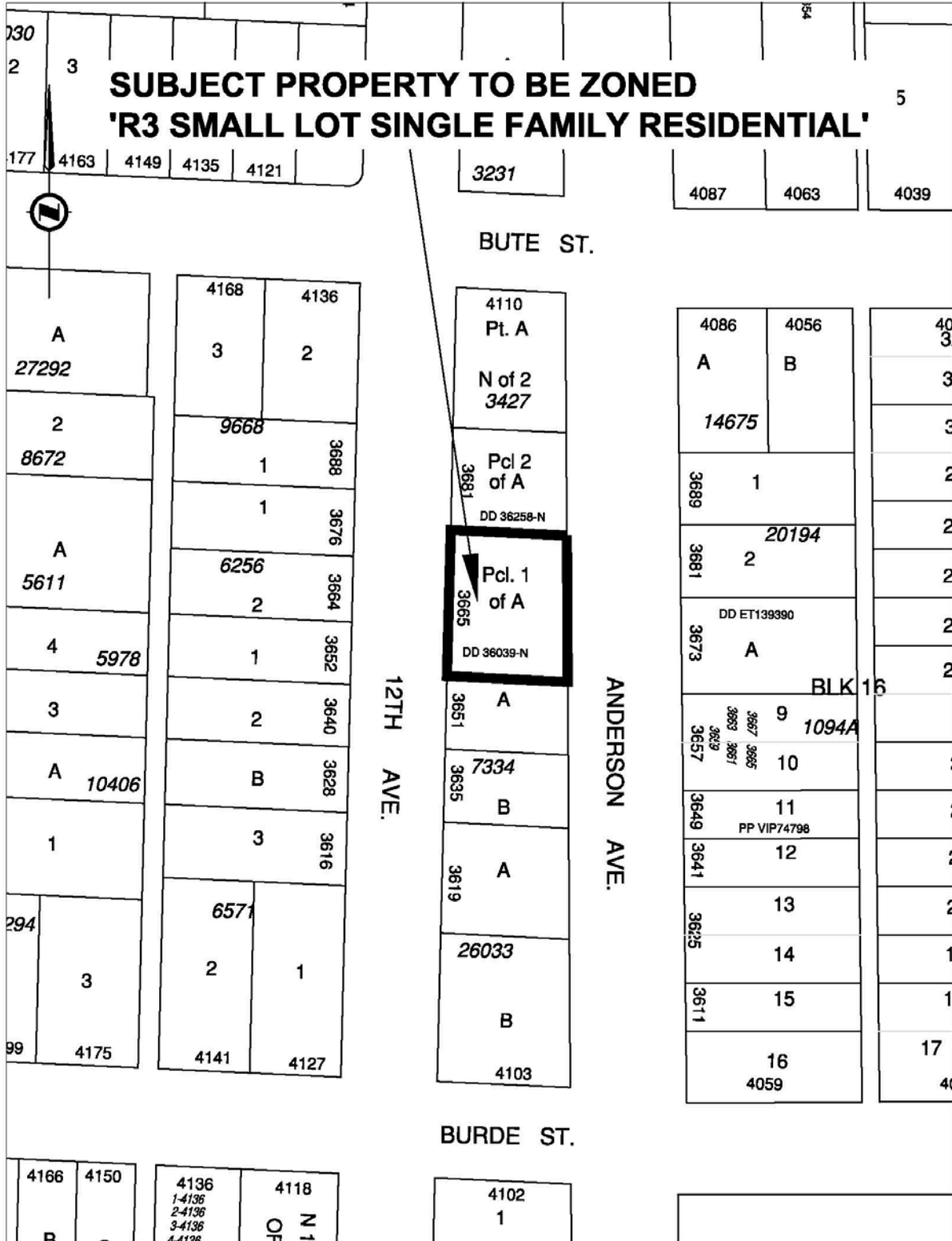
**READ A THIRD TIME THIS      DAY OF      , 2018.**

**FINALLY ADOPTED THIS      DAY OF      , 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Schedule "A" to Bylaw No. 4955



COPY

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## 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, January 22, 2018 at 5:45 pm** to hear representation about the following proposed bylaw:

### **A. "Zoning Text Amendment T12 (Site Specific Uses – P1 Institutional) Bylaw No. 4956"**

**APPLICANT: M. Sutherland** - The applicant is applying to amend the Zoning Bylaw to facilitate several light industrial uses on the property located at 2170 Mallory Drive. 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 adding the following text to the Section 5.31.4 P1 - Institutional Site Specific uses table:

##### **"D.**

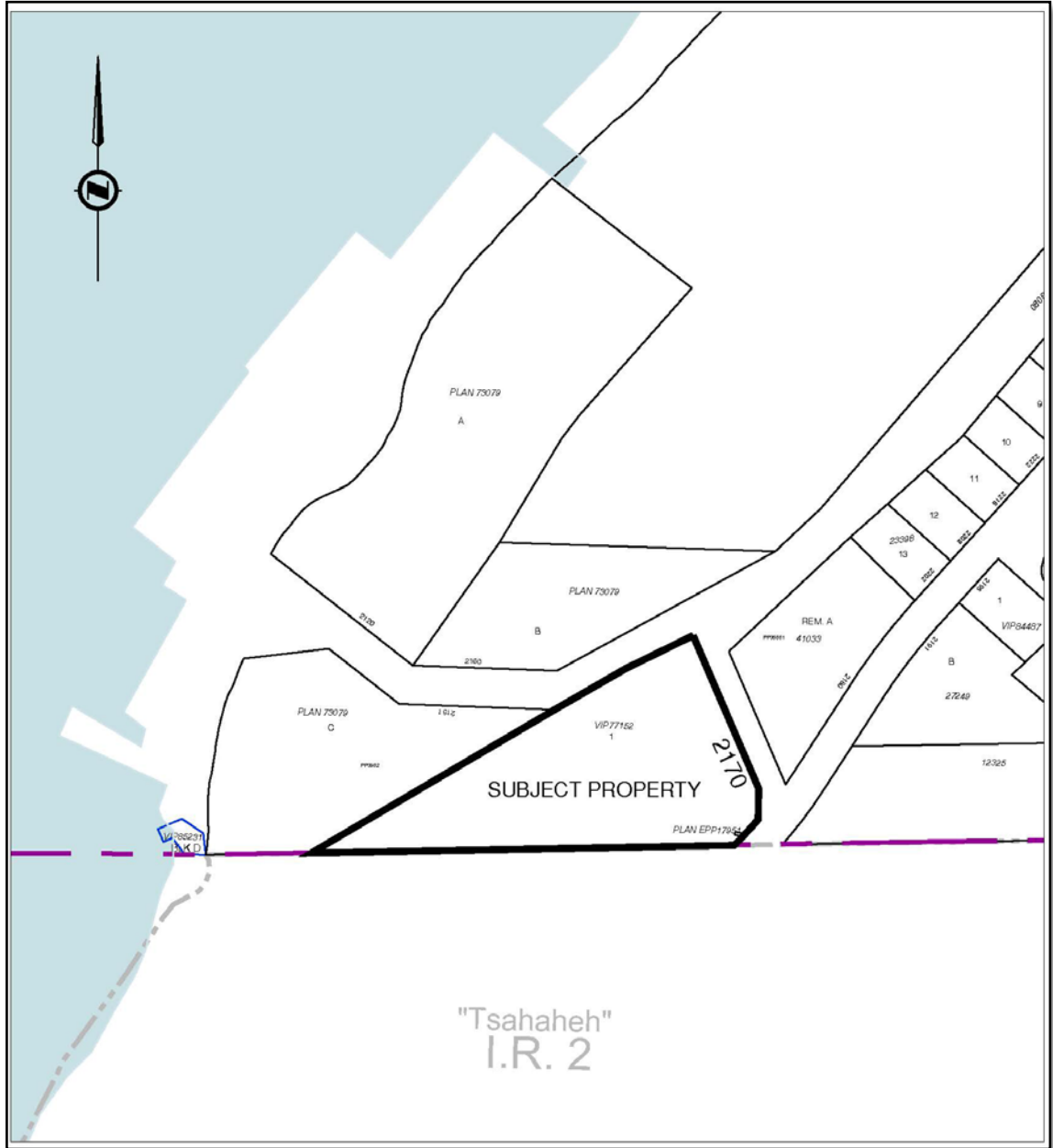
Site – **2170 Mallory Drive** – Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)

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

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 Planning Department, City Hall, 4850 Argyle St., between Monday and Friday (exclusive of statutory holidays) from January 12, 2018 to January 22, 2018 during regular business hours (8:30 a.m. to 4:30 p.m.).

**DATED AT PORT ALBERNI, B.C.** this 12<sup>th</sup> day of January, 2018.  
Scott Smith, Director of Development Services

# SUBJECT PROPERTY – 2170 Mallory Drive





# 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: January 17, 2018

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**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

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### **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 Tseshaht 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.
2. 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'.

### **Status of the Application**

At the December 21, 2017 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 an amendment to the text of the Zoning Bylaw in the 'P1 – Institutional' zone by adding the following text to 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.

At the January 8, 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. T12 (Site Specific Use – P1 – Institutional), Bylaw No. 4956.

### **Conclusions**

In considering the Zoning amendment, 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. If approved the City cannot place a time limit on the proposed light industrial uses.

The current building was essentially built and has been occupied as a light industrial use over the years. The Director of Development Services supports Option No. 2, but the requested site specific uses would be appropriate for the site and are not opposed.

Respectfully submitted,



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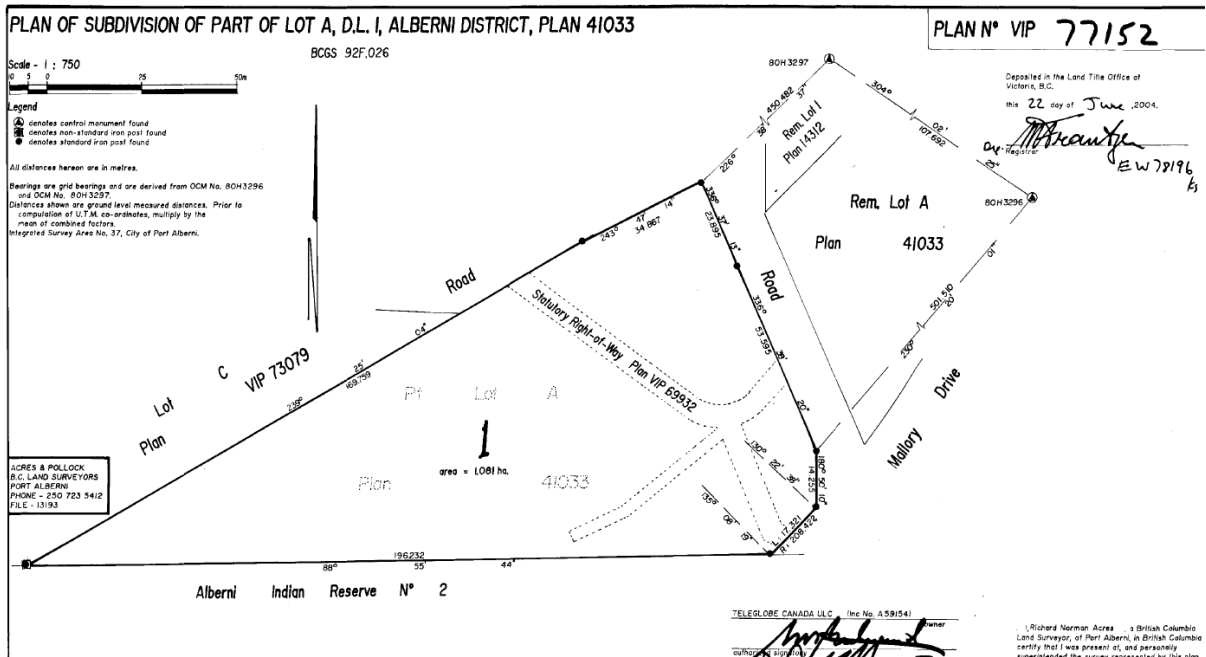
Scott Smith, MCIP  
Director of Development Services



SUBJECT PROPERTY







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

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 16m<sup>2</sup> (172 ft<sup>2</sup>) 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 m<sup>2</sup> (11,592 ft<sup>2</sup>).
- c) No retail activity is permitted as part of any business located on the property.

**B.**

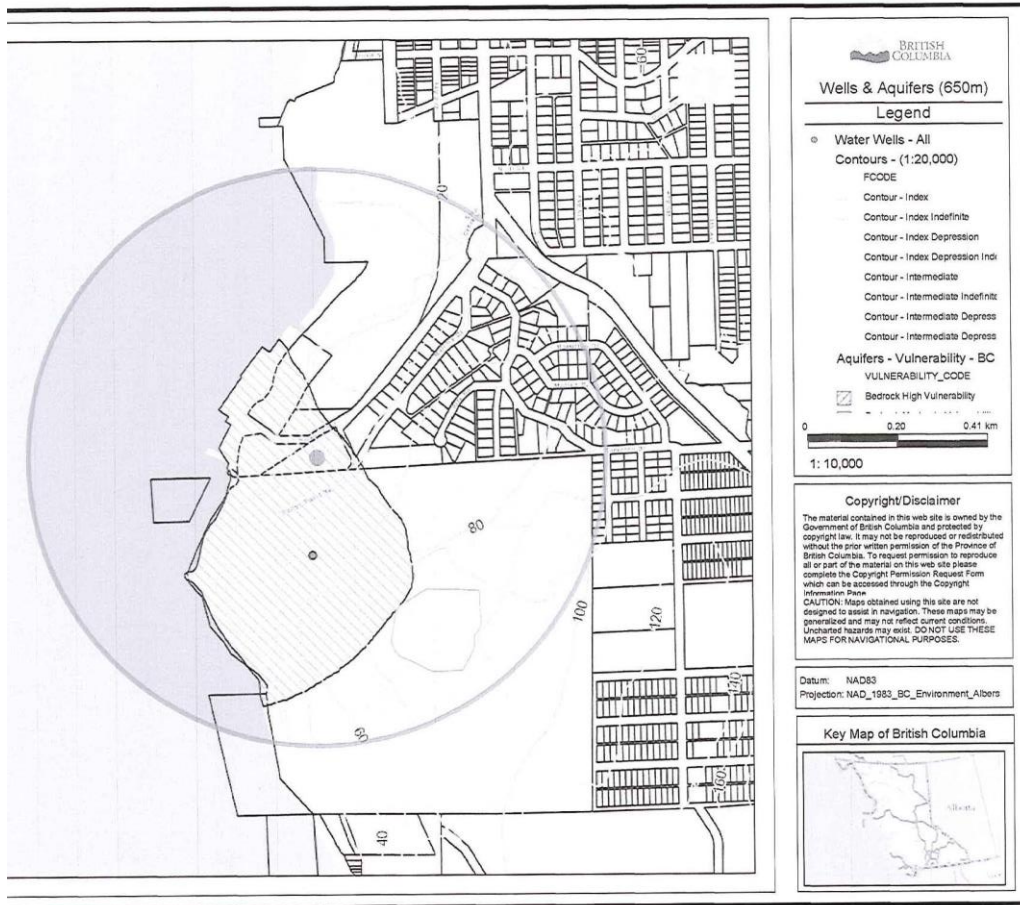
Site - 4411 Wallace Street - Lot B, District Lot 1, Alberni District, Plan 32448 VIP78180 (PID: 000-154-130)

- 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 m<sup>2</sup> (5180 ft<sup>2</sup>).

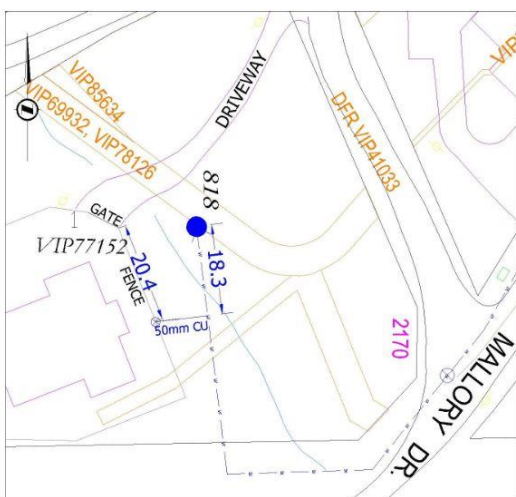


### WATER & SEWER SERVICE CONNECTION RECORD CARD

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

2170 MALLORY DR 1 - 1 77152  
 HOUSE No. STREET D.L. BLK. LOT PLAN



STORM		WATER		SEWER	
INSTALLATION DATE		INSTALLATION DATE		INSTALLATION DATE	
-		UNKNOWN		-	
CONNECTION DATE		CONNECTION DATE		CONNECTION DATE	
-		-		-	
SIZE	mm	SIZE	COPPER	mm	mm
-	-	-	50	-	-
LENGTH	m	DISTANCE FROM MAIN TO CURB STOP	METER	LENGTH	m
-	-	-	-	-	-
RISER	mm	CORP. STOP	-	RISER	mm
-	-	-	-	-	-
FITTING AT MAIN	mm	CURB STOP	-	FITTING AT MAIN	mm
-	-	-	-	-	-
BENDS	-	COUPLINGS	-	BENDS	-
-	-	-	-	-	-
DEPTH AT PROPERTY LINE	mm	REDUCER	-	DEPTH AT PROPERTY LINE	mm
-	-	-	-	-	-
DIST from D/S M.H. TO FITTING ON MAIN	m	SHUT OFF DEPTH	-	DIST from D/S M.H. TO FITTING ON MAIN	m
-	-	-	-	-	-
MEASURED		MEASURED		MEASURED	
-		SHUT OFF 20.4m SOUTHEAST OF GATE POST JUST OUTSIDE FENCE AS SHOWN.		-	

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.<sup>1</sup>

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

<sup>1</sup> 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**

**BYLAW NO. 4956**

**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 T12 (Site Specific Uses – P1 Institutional) Bylaw No. 4956**".

2. Zoning Text Amendment

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

a) By adding the following text to the Section 5.31.4 P1 - Institutional 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:

- a) Small Engine Repair
- b) Mechanic
- c) Custom Woodworking

ii. The following conditions apply to uses listed in 5.31.4 Di:

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

**READ A FIRST TIME THIS 8<sup>TH</sup> DAY OF JANUARY, 2018.**

**READ A SECOND TIME THIS 8<sup>TH</sup> DAY OF JANUARY, 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

**SUBJECT PROPERTY  
(2170 Mallory Drive)**

