

# | ABOUT THE PORT ALBERNI ZONING BYLAW 2014, NO.4832 (adopted March 10, 2014)

## Why do we have a Zoning Bylaw?

The Zoning Bylaw is a document for regulating development and land use in the community. While the Official Community Plan is a statement of the City's broad objectives and policies, the City's development regulations are contained in the Zoning Bylaw. The Bylaw consists of text and maps detailing regulations that apply to different zones throughout the City. The Bylaw details the types of uses permitted on a given piece of land and sets out requirements for density, setbacks, off-street parking, fencing, accessory buildings and home occupations among other things.

## How can the Zoning Bylaw be changed?

Any proposed change to the Zoning Bylaw must be passed by City Council as a bylaw following a Public Hearing. A developer or individual who is proposing a change to the Zoning Bylaw should note the following explanation of the process:

- Applicant should consult with the City Planner to accurately determine the current property designations in the Official Community Plan and in the Zoning Bylaw. The Planner will help determine the appropriate designations and amendments required. Changes must comply with the Official Community Plan otherwise the applicant must apply for an amendment to the Official Community Plan Bylaw that may be processed in conjunction with the Zoning Bylaw amendment application. If an Official Community Plan amendment is required, additional opportunity must be provided for public input prior to a Public Hearing (see OCP process).
- Applicant must file a complete application for a Zoning Bylaw Amendment at City Hall and pay the application fee. The application must be accompanied by the required fees, accurate drawings, detailing the proposed changes and a detailed written description of the project. **All registered owners of the property must sign the application and a copy of a current Land Title document (current within 30 days) must be included with the application.** In addition the applicant is required to erect signage on the property giving notice of the proposed change and the Public Hearing information.
- The Planning Department refers the application to all appropriate city departments, as well as to other government agencies and/or community groups, asking for input or comments pertaining to the proposed amendments. **Note:** If an application regards a property that falls within 800m of Provincial Highway No. 4, approval from the Ministry of Transportation is required before the Bylaw can be adopted by City Council.
- The City Planner prepares a report with recommendations to the Advisory Planning Commission. The APC will discuss the proposed amendments and provide a recommendation (including any specific conditions of approval) to City Council. The applicant is invited to attend the APC meeting which is also open to the public.

- If City Council makes the decision to proceed, with the amendment process City staff will be directed to prepare the amending bylaw.
- The amending Bylaw is introduced to City Council for 1<sup>st</sup> reading at a regular Council meeting. Council may decide not to proceed with the Bylaw. If Council decides to proceed with the Bylaw, a Public Hearing date and time are scheduled. 2<sup>nd</sup> reading of the Bylaw may also be given at this time.
- A Notice of the Public Hearing including details of the proposed amendment is sent to owners and tenants of properties within 75m of the subject property. The Notice is also published in the newspaper prior to the Public Hearing. In addition the applicant is required to amend the signage posted on the property to give notice of the Public Hearing information.
- The City Planner prepares a report to Council summarizing the status of the application and all comments and concerns to date.
- The Public Hearing is open to all members of the public who deem their interest in property to be affected by the proposed amendment. The Public Hearing affords all citizens an opportunity to be heard by Council or to make written submissions to Council pertaining to the proposed amendment. The applicant is encouraged to attend the Public Hearing.
- Following the Public Hearing the amending bylaw will go back to Council for a 3<sup>rd</sup> reading. Council may decide to deny the proposed amendment at this time or to proceed. If Council decides to proceed they may make final adoption of the amending bylaw subject to the applicant fulfilling specific conditions. The applicant is then notified of the conditions that Council has specified.
- Final adoption of the Bylaw by City Council will not take place until all conditions have been fulfilled by the applicant. Once all conditions of approval have been fulfilled the applicant must notify City staff (City Planner). If the Min. of Transportation has approved the Bylaw in principal, they will be asked to sign the Bylaw at this time.
- The City Planner will prepare a report to City Council making a recommendation in regards to final adoption of the amending bylaw.
- Council makes a decision on final adoption of the amending bylaw at the next regular Council meeting.

**For more information contact:  
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# City of Port Alberni - Zoning Bylaw Amendment Process

(Often done concurrently with OCP Bylaw Amendment)

