



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.7001
www.canbyoregon.gov

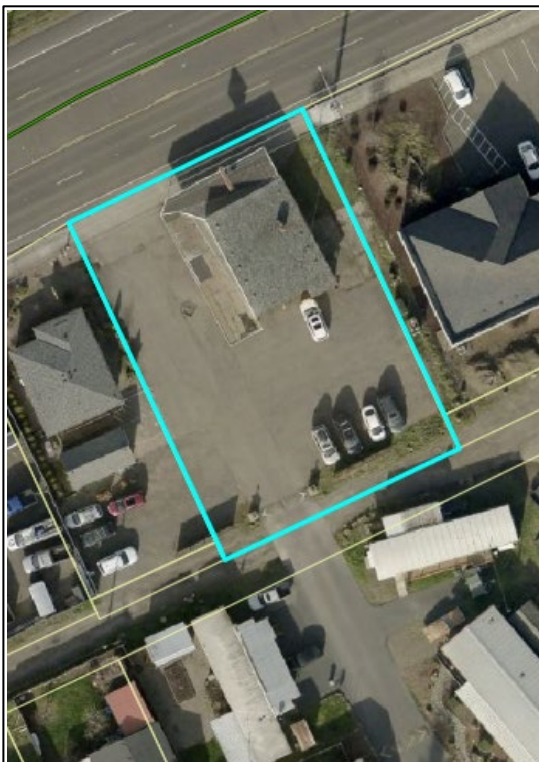
Development Services

June 5th, 2026

NOTICE OF NONCONFORMING STRUCTURE APPLICATION & REQUEST FOR COMMENTS

**Wally's Chinese Kitchen
679 SE 1st Avenue
FILE NO. NCS 26-01**

The City requires all property owners and residents within 100 feet of a Non-Conforming Structure request to be notified of the application. This letter serves as your Notice of a Non-Conforming Structure application and invites you to comment on a project described as Wally's Chinese Kitchen Rebuild. The project applicants, Christopher Nestlerode & Benjamin Chan, request approval to replace a damaged structural canopy that overlaps the existing sidewalk and right-of-way. The site is located at 679 SE 1st Avenue.

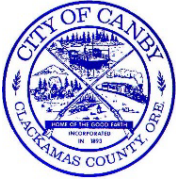


Aerial Map



 : Awning to be replaced.
Currently removed due to damage.

Street View 2023



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About the Project

- The canopy will be replaced like-for-like, with the exception of an alteration so that there is no overhang into ODOT right-of-way or slope easement.
- The building is located within the Highway Commercial Zone (C-2) and Downtown Canby Overlay (DCO) where restaurants are permitted outright. No changes to the zoning are proposed.
- The conversion will not include any changes or expansions to the existing building footprint. Improvements include:
 - Replacement of damaged/destroyed canopy with modified like-for-like canopy.
 - Replacement of sign with like-for-like sign.
- The project meets and exceeds the minimum number of vehicle parking spaces required.

What is a Non-conforming structure? A non-conforming structure is an existing (often older) building that does not meet certain zoning standards, but met the zoning standards in place at the time when built. The project is non-conforming due to required setbacks for the zone. The project meets all other applicable zoning standards.

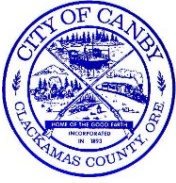
What is the decision process? If you would like City staff to consider your comments on this application, please submit them in writing no later than **June 17, 2026**.

After public comments are received, Planning Staff will make a decision based on the applicable criteria of the Canby Development Code (listed on the next page). City staff anticipates making a decision on the application on **JUNE 24, 2026**. A notice of decision will be mailed to all parties within 100 feet of the site (who are also receiving this request for comments). The Planning Staff's decision may be appealed to the Planning Commission after the notice of staff's decision has been mailed.

If you have any questions about this project, please contact Maxwell Taylor at 503-266-0723 or taylorm@canbyoregon.gov.

Where can I send my comments? Comments may be mailed to Canby Planning Department, PO Box 930, Canby, OR 97013, emailed to PublicComments@canbyoregon.gov, or hand-delivered to the Planning Counter at City Hall (2nd floor above the library) on weekdays between 9:00 am – 4:00 pm.

How can I review the documents and staff report? Please contact the Planning Department as copies can be emailed to you upon request at no cost. Contact the Planning Department at (503) 266-7001 or planningapps@canbyoregon.gov.



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Applicable Criteria: Canby Municipal Code Chapters; Canby Comprehensive Plan

Applicable Canby Municipal Code Sections:

- 16.08: General Provisions
- 16.10: Off-street Parking and Loading
- 16.28: Highway Commercial Zone (C-2)
- 16.41: Downtown Canby Overlay Zone (DCO)
- 16.52: Nonconforming Uses and Structures
- 16.89: Application and Review Procedures

Development Services

CITY OF CANBY – COMMENT FORM

Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013
In-person: Planning Department at 222 NE 2nd Avenue, upstairs
E-mail: PublicComments@canbyoregon.gov

If you would like City staff to consider your comments on this application, you must submit comments in writing no later than **DATE DATE 2026**. City staff anticipates making a decision on the application on **Monday, DATE DATE 2026**.

APPLICATION: Non-Conforming Structure, Manzanita Apartment Conversion, City File No. NCS 26-01

[illegible]

NAME: _____

EMAIL:

ADDRESS:

PHONE # (optional): _____

DATE: _____

PLEASE EMAIL COMMENTS TO
PublicComments@canbyoregon.gov

Thank You!