



**To: Port Alberni Advisory Planning Commission**

Ed Francoeur (Chair)	Ken Watts (Tseshahṭ/ć išaaṭaṭḥ First Nation)
Ken McRae (Vice-Chair)	Chris Washington - (SD #70)
Amy Anaka	
Jolleen Dick (Hupačasath Nation)	Sgt. Peter Dionne, (R.C.M.P. Liaison)
Stefanie Weber	Andre Guerin (P.A.F.D. Liaison)
Callan Noye	Councillor Deb Haggard (Council Liaison)
Joe McQuaid	Amy Needham (Parks Operations Liaison)

From: Marianne Wade, Manager of Planning

Copy: Larry Ransom - (Alternate - School District #70)  
Natasha Marshall, Les Sam (Alternate - Tseshahṭ (ć išaaṭaṭḥ) First Nation)  
Roger Nopper (Alternate - Hupačasath Nation)  
Councillor Helen Poon - (Alternate - Council Liaison)  
Corporate Services  
City Staff:- Scott Smith, Brian McLoughlin, Cara Foden

Date: June 15, 2022

Re: Advisory Planning Commission Meeting - Thursday, June 16, 2022 at 12:00 pm

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, June 16, 2022 at 12:00 pm** in the **Council Chambers at City Hall** (4850 Argyle St.). Masking is encouraged though not required. If you have questions please contact Marianne Wade (Tel: 250-720-2811 / email: [Marianne\\_wade@portalberni.ca](mailto:Marianne_wade@portalberni.ca)) or Cara Foden (Tel: 250.720.2850 / email: [cara\\_foden@portalberni.ca](mailto:cara_foden@portalberni.ca)).

**REVISED APC AGENDA**

- 1. Acknowledgements and Introductions-** This APC meeting is being held within the un-ceded traditional territories of the Hupačasath and the Tseshahṭ/ć išaaṭaṭḥ First Nations.
- 2. Minutes** of the May 19, 2022 meeting of the Advisory Planning Commission.
- 3. APC reports and procedures update** – Manager of Planning
- 4. DEVELOPMENT APPLICATION – Zoning Bylaw amendment**  
**4925 Leslie Avenue, Port Alberni**  
*Lot 10 District Lot 13 Alberni District Plan 6096 (PID: 005-909-538)*  
*Lot 11 District Lot 13 Alberni District Plan 6096 (PID: 005-909-554)*  
**Applicant(s):** Amy Needham, Curtis Needham.
- 5. DEVELOPMENT APPLICATION – Temporary Use Permit**  
**3130 3<sup>rd</sup> Avenue, Port Alberni**  
*Lot A, District Lot 1, Alberni District, Plan VIP30733 (PID: 001-225-537)*  
**Applicant:** Bread of Life Centre

6. **Status and OCP Update** – Manager of Planning
7. **Other business**
8. **Adjournment** - The next regular APC meeting is scheduled for **July 21, 2022**.



**Summary Report / Minutes of the Advisory Planning Commission Meeting  
held on May 19, 2022 at 12:00 p.m.  
(Council Chambers, Port Alberni City Hall, 4850 Argyle Street)**

**Commission Members Present**

Amy Anaka, (Acting for Chair)  
Ken McRae, (Vice - Chair)  
Stefanie Weber  
Chris Washington, S.D.70  
Joe McQuaid  
Councillor Cindy Solda, Alt. Council Liaison  
Peter Dionne, R.C.M.P. Liaison  
Andre Guerin, P.A.F.D. Liaison

**Regrets**

Ed Francoeur (Chair)  
Callan Noye  
Ken Watts, (CEO Tseshahst (č išaa?ath) F.N)  
Jolleen Dick, Councillor, Hupačasath F.N  
Amy Needham, Parks Operations Liaison  
Councillor Deb Haggard, Council Liaison  
Marianne Wade, Manager of Planning

**Staff**

Scott Smith, Dir. of Dev. Services/Deputy CAO  
Brian McLoughlin, Development Planner  
Price Leurebourg, Development Planner  
Cara Foden, Planning Technician

**Guests**

Applicant: Dion Hopkins

**Alternates (not in attendance)**

Larry Ransom (Alt.– S.D.70)  
Roger Nopper CEO, (Alt. - Hupačasath F.N.)  
Councillor Helen Poon (Alt.– Council Liaison)  
L. Sam, (Alt. – Tseshahst (č išaa?ath) F.N)  
Natasha Marshall, (Tseshahst (č išaa?ath) F.N)  
Vicky White, (Tseshahst (č išaa?ath) F.N)



**1. Acknowledgements and Introductions –**

Acknowledgement, by A. Anaka, that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshahst (č išaa?ath) First Nations.  
Welcome and introductions. Vice-Chair, K. McRae, was able to join the meeting via phone after the adoption of the March 17 minutes.

**2. Minutes - Adoption of March 17, 2022 Minutes**

**Motion:**

*That the City of Port Alberni Advisory Planning Commission adopt the minutes of the March 17, 2022 regular meeting.*

**(Weber / Anaka) CARRIED**

**3. DEVELOPMENT APPLICATION – Zoning Bylaw amendment**

**5450 Greenard Street -**

*Lot A (DD EG63433), District Lot 112, Alberni District, Plan VIP17300 PID: 018-262-317; and  
Lot 7, District Lot 112, Alberni District, Plan VIP17300 PID: 000-838-161*

**Applicant: D. Hopkins**

- City Development Planner (P.L.) summarized his report dated May 19, 2022.
- APC discussed the proposed amendments and report.
  - The location of the ravine that forms a portion of the site was clarified. A portion of the site that is a steep ravine for Kitsuksis Creek is zoned P2 Parks and Recreation. The P2 portion is not a dedicated City Park.

- The ACRD is currently looking into the Maplehurst Park on Willow Rd. and it was noted that the subject properties were not a part of that study area.
- The applicant indicated to the APC that a geotechnical assessment of the property provides recommendations for foundation design and construction. The report noted the required setback from the upper slope crest along with the recommended tree clearing limitations.
- APC members voiced support for the application.

**Motions:**

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with the following bylaw amendment, with respect to Lot A (DD EG63433), District Lot 112, Alberni District, Plan VIP17300 and Lot 7, District Lot 112, Alberni District, Plan VIP17300 located at 5450 Greenard Street as follows:*
  - a. *Amend the Zoning Bylaw (Schedule A – Zoning Map) to change the zoning on a portion of each of the subject properties from ‘R1 Single Family Residential’ to ‘R3 Small Lot Single Family Residential’.*

(Weber / McQuaid) CARRIED

**4. DEVELOPMENT APPLICATION – – Official Community Plan and Zoning Bylaw amendments**

**3351 3rd Avenue**

*Lot 16, Block 52, District Lot 1, Alberni District, Plan VIP197B (PID:004-680-634); and*

**3359 3rd Avenue**

*Lot 17, Block 52, District Lot 1, Alberni District, Plan VIP197B (PID:004-680-642); and*

**3369 3rd Avenue**

*Lot 18, Block 52, District Lot 1, Alberni District, Plan VIP197B (PID:009-259-953*

**Applicant: D. Galloway**

- Director of Dev. Services (S.S.) summarized his report dated May 12, 2022.
- APC discussed the proposed amendments and report.
  - The challenging topography of the site was discussed. The topography of the site is quite steep so the applicant will be required to engage a Civil Engineer to address the need for retaining wall design and specifications.
  - Concerns were raised about the impact of the addition vehicle use that would be added to the laneway and the access/egress challenges. A Civil Engineer will need to be engaged to provide acceptable recommendations regarding parking, traffic flows, access/egress for the site.
  - With respect to parking concerns it was noted the site plan does not include visitor parking for the six multi-family units proposed although twelve spaces for the residential units were included.
  - It was noted that the development could provide much needed housing for the community.
  - The APC expressed that it would be necessary for the applicant to address the development challenges adequately given the level of opposition that the application has received through the neighbourhood consultation done by the City to date.
  - It was noted that the applicant had made a prior application that had proven impractical and this new application provided a more workable plan.
  - The Director of Development Services reinforced the need for the applicant to obtain a Development Permit prior to being issued a Building Permit if the application moves forward.
  - Agreement was expressed that it would be a positive development for a site that has remained vacant for many years.

**Motions:**

1. *THAT with respect to the following properties:*

- 3351 3rd Avenue - Lot 16, Block 52, District Lot 1, Alberni District, Plan VIP197B, (PID:004-680-634)
- 3359 3rd Avenue - Lot 17, Block 52, District Lot 1, Alberni District, Plan VIP197B, (PID:004-680-642)
- 3369 3rd Avenue - Lot 18, Block 52, District Lot 1, Alberni District, Plan VIP197B, (PID:009-259-953)

*the Advisory Planning Commission recommends to City Council;*

A. *That the City proceed with the following bylaw amendments:*

- i. *Amend the Official Community Plan Schedule A Land Use Map from 'Residential' to **'Multi-Family Residential'**.*
- ii. *Amend the Official Community Plan Schedule B Development Permit Area Map to include the properties in **'Development Permit Area No. 1 (Multi-Family Residential)'**.*
- iii. *Amend Schedule A Zoning Bylaw Map from 'R2 One and Two Family Residential' to **'RM1 Low Density Multiple Family Residential'**.*

B. *THAT prior to the scheduling of a Public Hearing the applicant must submit:*

- i. *A preliminary engineering design for vehicle access as approved by the City's Engineering Department.*

C. *THAT prior to final adoption of the bylaws:*

- i. *Consolidation of 3351, 3359 and 3369 3rd Avenue into one legal parcel.*
- ii. *Submit a cost estimate for completion of off-site works as approved by the City's Engineering Department.*

**(Weber / McRae) CARRIED**

**5. STATUS UPDATE:**

A. The Director of Development Services updated the APC with respect to the following:

- Upcoming developments that will likely be submitting applications for Building Permits in the near future.
- Public Hearing was held for 5249 Pineo Road rezoning and the application will proceed to 3<sup>rd</sup> reading.
- Application for 5<sup>th</sup> Ave. & Burde St. (Carniato) received 3<sup>rd</sup> reading.
- City owned land at 15<sup>th</sup> Ave. & Montrose St. – An application for OCP and Zoning amendments has been submitted and Subdivision will be required.
- Vancouver Resource Society (3507 Anderson Ave)
- Seymour Pacific (3553 Anderson Ave) – Multi-Family housing – hopeful for July start.
- San Group development (upper Burde St.) -.Director of Development Services attended a Townhall meeting coordinated by the "Friends of the Burde Street Beaver Ponds" group. The San Group has not submitted a revised development application to date for the site.

B. OCP Review update:

- The Manager of Planning has taken a report to Council regarding the OCP update project. The contract awarded to McElhanney in October 2021 will be adjusted to reflect the engagement of FRANK Planning to support Phase 3 'Vision and Community Priorities'.
- An invitation has been sent out to community stakeholders/groups to participate in a workshop on June 2. The APC has been included in this invitation and it is hoped that many will be able to attend.

**6. OTHER BUSINESS - None**

**7. ADJOURNMENT** – The meeting adjourned at 1:00 pm. The next meeting is scheduled for 12:00 pm on **June 16, 2022**.

**(McQuaid / Anaka) CARRIED**



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Ken McRae (Vice-Chair)



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission  
FROM: Brian McLoughlin, Development Planner  
DATE: June 6, 2022

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**SUBJECT: DEVELOPMENT APPLICATION – Proposed Zoning Bylaw Amendment  
4925 Leslie Avenue, Port Alberni**  
*Lot 10 District Lot 13 Alberni District Plan 6096 (PID: 005-909-538)*  
*Lot 11 District Lot 13 Alberni District Plan 6096 (PID: 005-909-554)*  
**Applicant(s):** Amy Needham, Curtis Needham.

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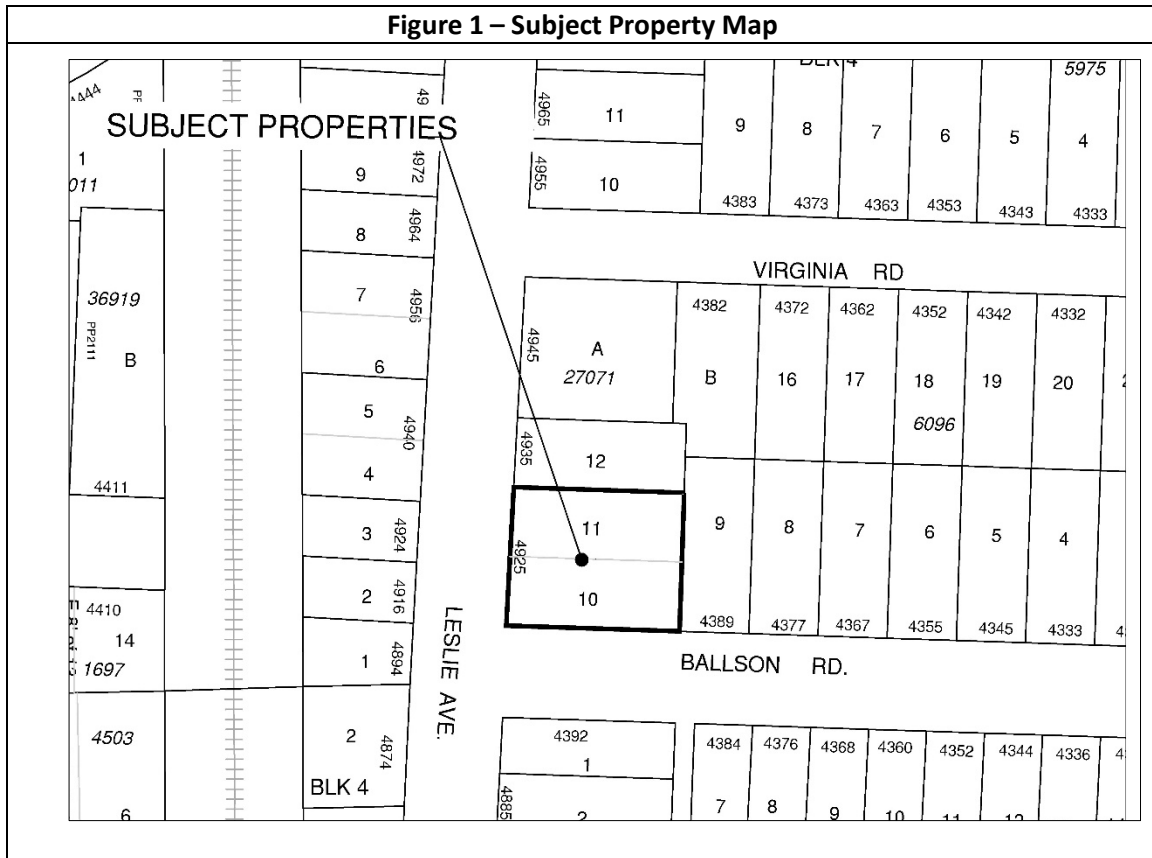
### PURPOSE

The City has received an application to rezone the properties at 4925 Leslie Avenue from R1 to R3. This would enable a subdivision of the properties to allow an additional single-family dwelling to be constructed. The application requires a map amendment to *Zoning Bylaw No. 4832*.

### SUBJECT PROPERTY AND SITE CONTEXT

<b>Location</b>	Northeast corner lot of the intersection of Leslie Avenue and Ballson Road approximately 375m north of Johnston Road.
<b>Current Zoning</b>	R1 Single Family Residential
<b>Proposed Zoning</b>	R3 Small Lot Single Family Residential
<b>Total Area</b>	1153 m <sup>2</sup> (0.28 acres)
<b>Official Community Plan (OCP)</b>	<ul style="list-style-type: none"><li>• <i>Schedule A - Land Use Map: Residential (RES)</i></li><li>• <i>Schedule B Development Permit Areas Map: N/A</i></li></ul>
<b>Relevant Guidelines</b>	<ul style="list-style-type: none"><li>• <i>Section D Plan Policies – 4.0 Residential</i></li><li>• <i>Section D Plan Policies – 4.2 Residential (RES)</i></li></ul>

The properties at 4925 Leslie Ave are currently occupied by a single-family dwelling which spans both legal parcels. Lot 11 has frontage onto Leslie Ave, while Lot 10 sits on the corner with frontage onto both Leslie Avenue and Ballson Road. The site is located approximately three blocks north of Johnston Street (Hwy 4) in a neighbourhood characterized by mid-century single-family homes.



Zoning of the surrounding neighbourhood is R1 with a few R3 properties to the east between Gordon Avenue and Regina Avenue. West of the rail corridor is a neighbourhood zoned R2. The portion of the Johnston Road corridor nearest the site is zoned R1 and C7. To the north at the end of Leslie Avenue is the Kitsuksis Creek green space and parkland.

<b>Table 1 – Surrounding Neighbourhood Land Use</b>	
North	R1 Single Family Residential, P2 Parks and Open Space (Kitsuksis Creek)
South	R1 Single Family Residential, Johnston Road (Hwy 4)
East	R1 Single Family Residential, R3 Small Lot Single Family Residential, RM1 Low Density Multiple Family Residential.
West	R1 Single Family Residential, M4 Utilities (rail corridor), R2 One and Two Family Residential.

**PROPOSED DEVELOPMENT**

Zoning and Land Use

The applicant is proposing to rezone the property from R1 Single Family Residential to R3 Small Lot Single Family Residential. Both are single family zones, though the R3 has a lower minimum lot size, shorter minimum frontage, reduced front and rear yard setbacks, and higher maximum lot coverage. Unlike the R1 zone, the R3 zone does not permit secondary suites.



## Staff Notes:

- Proposed rezoning aligns with Residential (RES) designation on *Schedule A - Land Use Map* in the OCP.
- Staff do not anticipate any significant impact on the surrounding neighbourhood.
- Increased traffic will be limited to one additional household as R3 zone does not permit secondary suites.
- Subdivision application will be required to create the lots but the Zoning Bylaw amendment must first be adopted by Council.
- Development Permit will not be required as single-family properties are not included on *Schedule B Development Permit Areas Map* in the OCP.
- *Local Government Act* section 464(2) allows Council to waive the Public Hearing for amendments that are consistent with the OCP.

Site Layout

A proposed site plan is attached to this report. The applicant is proposing to create two lots which meet the requirements of the R3 zone. The existing dwelling would remain on future Lot A with a new property (future Lot B) created to the east. A new single-family house would be constructed on future Lot B.

<b>Table 2 – Proposed Lot Dimensions and R3 Site Development Regulations</b>				
<i>Site Regulations</i>	<i>R1 Single Family Residential</i>	<i>R3 Small Lot single Family Residential</i>	<i>Lot A</i>	<i>Lot B</i>
<i>Minimum Lot Area</i>	600 m <sup>2</sup>	350 m <sup>2</sup>	588 m <sup>2</sup>	565 m <sup>2</sup>
<i>Minimum Frontage</i>	15 m	10 m <sup>2</sup>	19.33 m	18.86 m
<i>Maximum Lot Coverage</i>	40%	50%	16% (existing)	50% (max.)

## Staff Notes:

- Lot B would be accessed from Ballson Road.
- Currently, the front lot lines of both properties are on Leslie Avenue. Upon subdivision the front lot lines of both properties would be on Ballson Road (see attached plan).

Infrastructure and Servicing

Infrastructure upgrades may be required to service the development. This may include utility upgrades and improvements to the road and sidewalk areas. This will be confirmed by the Approving Officer and the Engineering Department during the subdivision process. The applicant will be responsible for the cost of all improvements.

## Staff Notes:

- BC Ministry of Transportation and Infrastructure will be required to sign-off on the bylaw amendment since the subject property is located within 800m of a provincial highway. Approvals must be provided before final adoption of the bylaw can be considered. To date, MOTI has provided no objection to the application.

**REFFERALS**

<b>Agency/department</b>	<b>Comments</b>
CPA Engineering Department	* Under review. Requirements to be addressed at subdivision. *
CPA Parks and Recreation Department	<i>Interests unaffected.</i>
Fire Department	<i>This is a residential property and as long as they give access to the property by a street or adequate laneway as per the access to building document, the fire department has no issue with the amendment.</i>
RCMP	<i>No objections to the proposed.</i>
Fortis	<i>Fortis BC has existing gas mains on Leslie Ave, 1 m west of 4925 Leslie Ave property line, as well as the south side of Ballson Rd, 2.5m from the north property line. Currently, there are no service connections on the lot(s) being subdivided and will have no conflict with Fortis BC. We can connect to each of the subdivided lots in the future if requested. Approval Recommended for Reasons Outlined</i>
Min. Transportations and Infrastructure	<i>MOTI interests are unaffected, no objections</i>

**OPTIONS**

1. Recommend to Council the application be supported.
2. Recommend to Council the application be supported with conditions (specify).
3. Recommend to Council the application not be supported.

**ATTACHMENTS**

- Subject Property Map – 4925 Leslie Avenue
- OCP Land Use Designation
- Current Zoning Bylaw Classification
- Proposed Site Plan
- Proposed Zone Description – Zoning Bylaw No. 4832

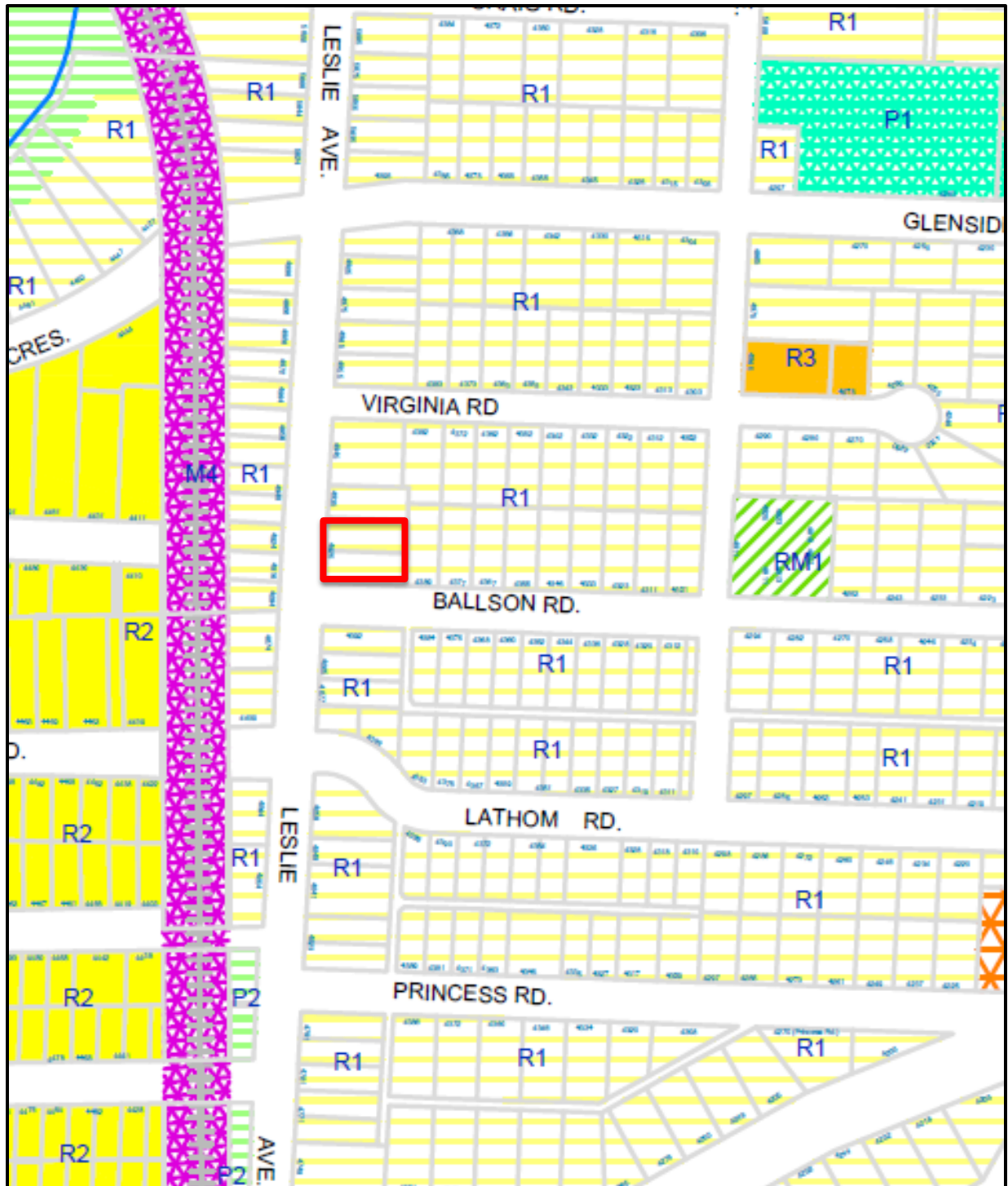
SUBJECT PROPERTY MAP – 4925 LESLIE ROAD



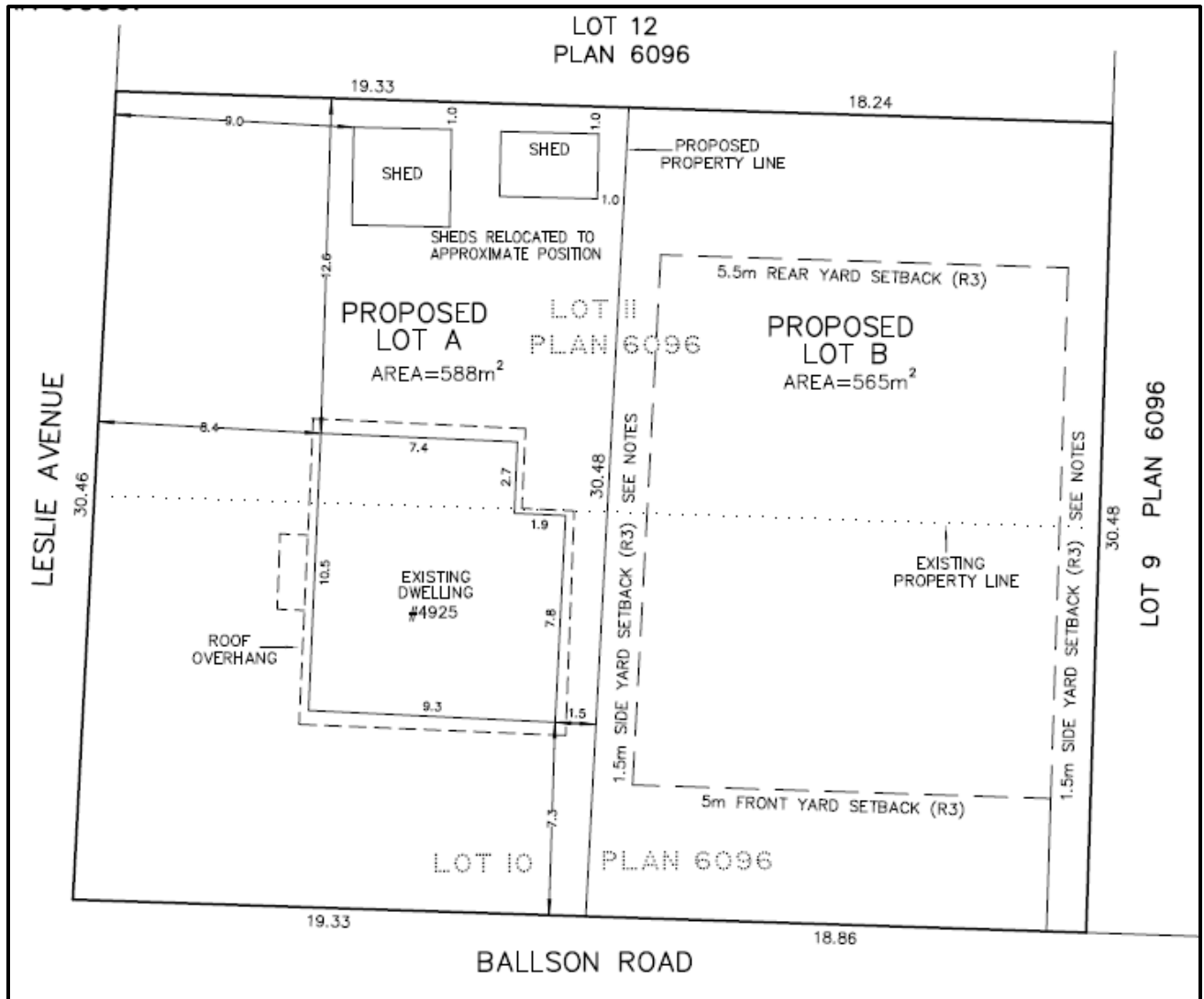
OCP LAND USE DESIGNATION



CURRENT ZONING BYLAW CLASSIFICATION



PROPOSED SITE PLAN – 4925 LESLIE AVENUE



## PROPOSED ZONE DESCRIPTION – ZONING BYLAW NO. 4832

## 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 usesPrincipal UsesSingle *family dwelling*Accessory Uses*Home occupation*5.13.2 Site Development Regulations

Minimum <i>Lot Area</i>	350 m <sup>2</sup>	(3767 ft <sup>2</sup> )
Minimum <i>Frontage</i>	10 m	(32.8 ft)
Maximum <i>Coverage</i>	50%	
Minimum <i>Setbacks</i> :		
<i>Front yard</i>	5 m	(16.4 ft)
<i>Rear yard</i>	5.5 m	(18.0 ft)
<i>Side yard</i>	1.5 m	(4.9 ft)
Maximum <i>Floor Area Ratio</i>	0.5	
Maximum Height, <i>Principal Building</i>	10 m	(32.8 ft)
Maximum Number of <i>Principal Building Storeys</i>	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).



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

TO: Advisory Planning Commission

FROM: Marianne Wade, Manager of Planning

DATE: June 14, 2022

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**SUBJECT: Temporary Use Permit – Transition House**  
**3130 3<sup>rd</sup> Avenue, Port Alberni**  
*Lot A, District Lot 1, Alberni District, Plan 30733 (PID: 001-225-537)*  
**Applicant(s): Colin Minions, Salvation Army**

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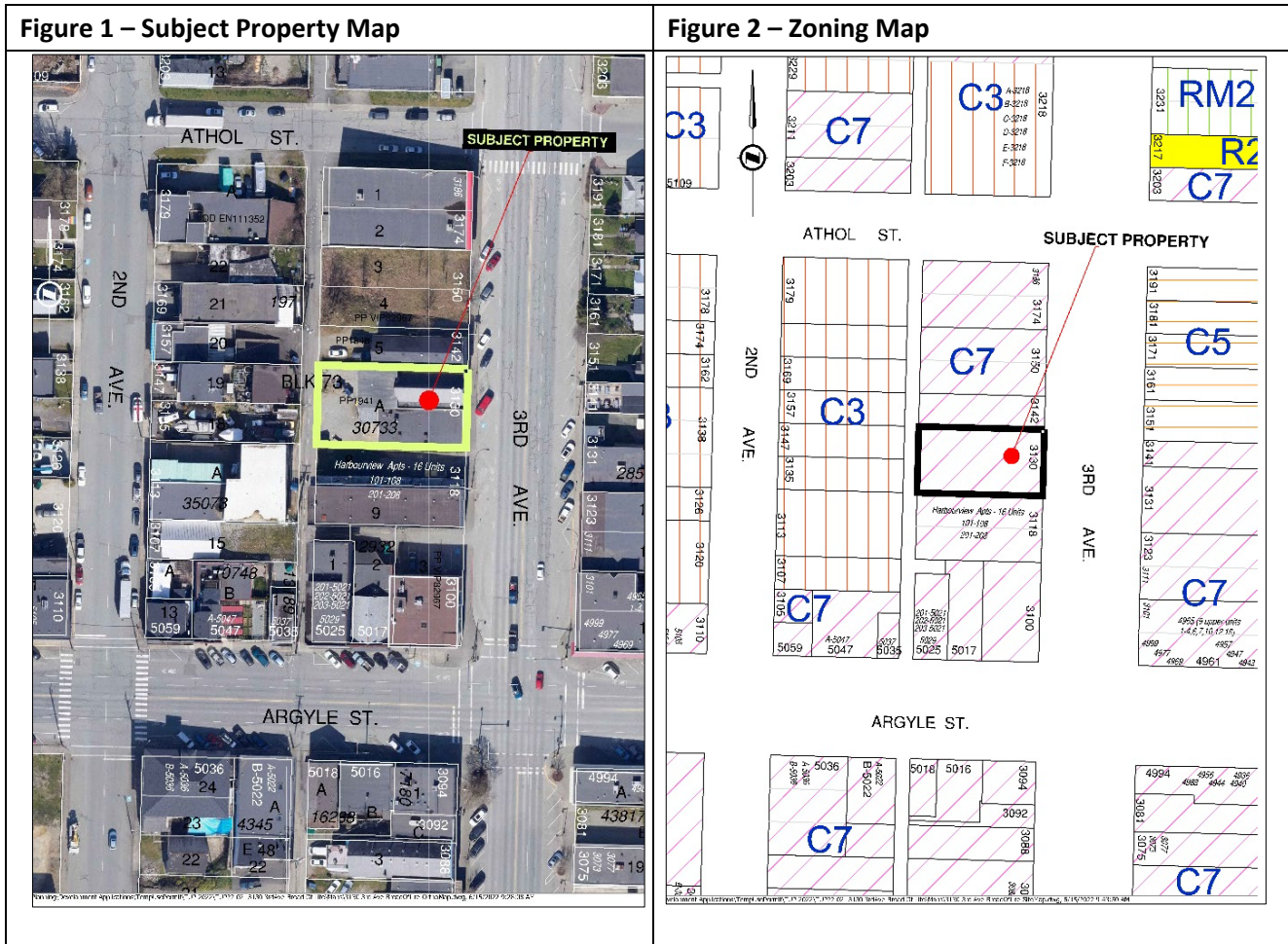
### PURPOSE

The City has received an application for a Temporary Use Permit (TUP) to allow a *transition house* to be located on a portion of the property at 3130 3<sup>rd</sup> Ave. The Salvation Army has received funding from BC Housing to operate a temporary low barrier shelter which will be reviewed on an annual basis. A TUP is allowed under the *Local Government Act* for a period up to three (3) years and may be renewed once. The objective of the TUP is to allow a use not permitted in the zone, and to specify general conditions in a permit issued by Council.

### SUBJECT PROPERTY AND SITE CONTEXT

<b>Location</b>	The site is located mid-block between Athol Street and Argyle Street on the west side of 3 <sup>rd</sup> Avenue. The Bread of Life Centre is located on the property.
<b>Current Zoning</b>	C7 Core Business
<b>Proposed Temporary Use</b>	Transition House
<b>Total Area</b>	A portion of the site
<b>Official Community Plan (OCP)</b>	<ul style="list-style-type: none"><li>• <i>Schedule A - Land Use Map: General Commercial</i></li><li>• <i>Schedule B - Development Permit Areas Map: DPA No. 2 - Commercial</i></li></ul>
<b>Relevant Guidelines</b>	<ul style="list-style-type: none"><li>• <i>Section C – 3.0 Temporary Use Permits</i></li></ul>





Direction	Land Use
North	General Commercial
South	Multi-family Residential, General Commercial
East	General Commercial, Multi-family Residential, Residential
West	General Commercial

**PROPOSED DEVELOPMENT**

Zoning and Land Use

The current *C7 Core Business* zone permits a diversity of uses including community care, multi-family housing, seniors housing, restaurants, personal services, retail, tutoring, and other commercial uses as outlined in attachment 1.

The property is currently operating as the Bread of Life Centre (a non-profit society) which provides food, resources, and services to our community’s vulnerable residents. The C7 zone does not permit a *transition*

house which is a use identified in the *P1 Institutional Zone*. A transition house is defined in the Zoning Bylaw:

*“Means a facility providing temporary accommodation and/or counselling to persons in need or distress. Facilities operated under the Community Care Facilities Act, Correction Act or Mental Health Act are not included in this definition.”*

The Salvation Army has received funding from BC Housing to operate a low barrier shelter for up to 25 beds on an annual basis to address the needs of our vulnerable residents. The 2021 Homeless Count for Port Alberni indicates that there are 125 people experiencing homeless. This project will assist in creating shelter for some of our residents.

The current Drop-in Centre which is open from 9 am to 4 pm, is proposed to be converted to a shelter from 8 pm to 8 am. During the day the shelter space will be used as the Drop-in Centre for various counselling, training and health programs which are currently being offered through the Gateway programs. The community soup kitchen will remain operating from 8 am to 8 pm daily. There will be a separation of these two uses through an interior renovation to the building.

There is no expansion to the building required but internal renovations will be required to accommodate the 25 beds, along with upgrades to washroom facilities to include shower and laundry. The renovations will address accessibility requirements for clients' needs and safety. The floor plans are under design for permit requirements in coordination with BC Housing, Salvation Army, and City staff to address all Building Code requirements. The Salvation Army has retained the necessary professionals to address building and fire requirements for permits required for occupancy.

#### Staff Notes:

- Proposed TUP is within a commercial land use designation in the OCP in *Schedule A - Land Use Map* in the OCP. This meets Council policy in section 3.0 Temporary Use Permits
- The *transition house* use is temporary use that will either be relocated or cease to exist at the end of the permit period. The TUP is for three years and the applicant can reapply for another three-year period. This aligns with the Council policy in section 3.0 for up to six years.
- The proposed use maintains a reasonable level of compatibility with the surrounding development. This aligns with the Council Policy in Section 3.0.
- Staff do not anticipate any significant impact on the surrounding neighbourhood.
- There is no expansion to the existing building, just repurposing of internal space to meet a temporary need for shelter to assist our vulnerable residents.
- The Salvation Army is a recognized operator by BC Housing.
- Both the Community Kitchen and Drop-in Centre will continue to operate.
- Staff will work with the applicant and BC Housing to ensure building code requirements are met for occupancy.
- The TUP will outline any necessary requirements when it is prepared for Council's consideration.
- A public notice will be sent to all owners and occupants of properties within 75 m of the property. A notice will also be placed in the newspaper. The public will have the opportunity to write into the City with any comments which will be incorporated into the staff report.
- This is an issuance of a permit and not a bylaw.

Infrastructure and Servicing

The site is serviced by municipal services, if upgrades are required the applicant will be responsible for the cost of all improvements.

**REFERRALS**

Referrals are being undertaken at this time and any comments will be incorporated where required in the TUP.

**OPTIONS**

1. Recommend to Council the TUP for a Transition House be supported.
2. Recommend to Council the TUP be supported with conditions (specify).
3. Recommend to Council the TUP not be supported.

**Attachments**

- *C7 Zone Description*
- *OCP Section 3.0 - Temporary Use Permits*
- *OCP Land Use Map*

## C7 ZONE DESCRIPTION

### C7 – CORE BUSINESS

5.24 The purpose of this *zone* is to establish and maintain vibrant mixed *use* commercial core areas, with attention to providing goods and services to residents, the travelling public and tourists.

<p>5.24.1 <u>Permitted uses</u></p> <p><u>Principal Uses</u></p> <p><i>Adult retail</i></p> <p><i>Amusement establishment</i></p> <p><i>Appliance repair</i></p> <p><i>Artist’s studio</i></p> <p><i>Assembly</i></p> <p><i>Automotive sales, repair and servicing</i></p> <p><i>Bakery</i></p> <p> </p> <p><i>Bank or other financial institution</i></p> <p> </p> <p><i>Boat or recreational vehicle sales and repair</i></p> <p><i>(Bylaw 4979) Cannabis Retail Store, subject to 6.26</i></p> <p><i>Club or lodge</i></p> <p><i>Community care facility</i></p> <p><i>Day care or other preschool</i></p> <p><i>Gasoline service station</i></p> <p> </p> <p><i>Hotel, Motor hotel and Hostel</i></p> <p><i>Live-work</i></p> <p><i>Lumber and Building Materials Retailers and Wholesalers</i></p> <p><i>Medical service</i></p> <p><i>(Bylaw 5033) Micro-Brewery/Micro-Distillery</i></p> <p><i>Multiple family dwelling</i></p> <p><i>Nightclub, Cabaret, Bar and Pub</i></p> <p><i>Office</i></p> <p><i>Parking lot</i></p> <p><i>Pawn shop</i></p> <p><i>Personal service</i></p> <p><i>Place of worship</i></p> <p><i>Printing, publishing and allied industry</i></p>	<p><u>Principal Uses (continued)</u></p> <p><i>Professional service</i></p> <p><i>Public market</i></p> <p><i>Restaurant, including drive-through</i></p> <p><i>Retail</i></p> <p><i>School</i></p> <p><i>Seniors housing</i></p> <p><i>Shopping centre</i></p> <p><i>Single family or two family dwelling (built prior to the adoption of this bylaw)</i></p> <p><i>Small appliances and electronics, sales and repair</i></p> <p><i>Social service centre</i></p> <p> </p> <p><i>Theatre</i></p> <p> </p> <p><i>Tourist Services</i></p> <p><i>Transportation Dispatch and Depot</i></p> <p><i>Tutoring Service</i></p> <p><i>(Bylaw 4979) (Bylaw No. 4893) Medical Marijuana Dispensary (Subject to 6.26)</i></p>	<p><u>Accessory Uses</u></p> <p><i>Home Occupation</i></p> <p><i>Residential above commercial</i></p>	<p><u>Site-Specific Uses</u></p> <p><i>Dwelling units at ground level</i></p> <p><i>Glass shop</i></p> <p><i>Liquor, wine, and beer store</i></p>
<p>5.24.2 <u>Site Development Regulations</u></p> <p><i>Minimum Lot Area</i></p> <p><i>Minimum Frontage</i></p> <p><i>Maximum Coverage</i></p>	<p><i>540 m<sup>2</sup></i></p> <p><i>15 m</i></p> <p><i>90%</i></p>	<p><i>(5812.7 ft<sup>2</sup>)</i></p> <p><i>(49.2 ft)</i></p>	

**Minimum Setbacks:**

<i>Front yard</i>	0 m	
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard</i>	0 m	
Maximum Height, Principal <i>Building</i>	14 m	(45.9 ft)
Maximum Number of Principal <i>Building Storeys</i>	4	
Maximum <i>Floor Area Ratio</i>	3.0	

**5.24.3 Conditions of Use**

- (a) All business *uses* shall be conducted within a completely enclosed *building* except for outdoor display, rental, sales or *storage yards*, restaurant patios, activities that are normally done at gasoline service pumps, parking and loading, and activities related to the operation of a *drive-through* or *drive-in* facility.
- (b) In mixed-use residential and commercial *buildings*, residential *uses* shall be located above the first *storey*, except as provided in (d).
- (c) A shared public access to the residential *dwelling* unit(s) shall be provided separate from any other *use* from a ground floor entrance opening directly onto the public *street*.
- (d) Where multiple *family dwelling* units or seniors housing are located below the second *storey*, the Site Development Regulations of the RM3 Higher Density Residential *zone* shall apply.
- (e) Notwithstanding any other provision of this Bylaw, only one-half (0.5) *parking space* for every residential *dwelling* unit is required above a commercial *use* in a mixed commercial-residential *building*.
- (f) No *club* or *lodge* shall have more than three machines on which mechanical, electrical automatic, digital or computerized games are played for amusement, recreation, competition or entertainment and for which a fee is charged for *use* or for which a coin or token must be inserted.
- (g) In *dwelling* units above or behind commercial *uses*, *home occupation* as a permitted *use* is restricted to *office* space for a business which is lawfully carried on at another location.

**5.24.4 Density Bonusing for Mixed-Use Residential-Commercial Developments:**

The maximum height permitted may be increased up to six (6) *storeys* and up to 18 m (60 ft), and the maximum *floor area ratio* permitted may be increased up to 3.5 from that indicated in 5.24.2 where all of the following conditions are met:

- (a) A minimum of one *storey* or sixteen and one-half percent (16.5%) of the *gross floor area* of the *building* is used for commercial purposes;
- (b) Greater than seventy-five percent (75%) of the required parking is provided *underground* or enclosed underneath the principle *building*;
- (c) Elevators are provided to all *storeys* in the *building*;
- (d) A minimum of ten percent (10%) of the *dwelling* units are designed as *accessible*;
- (e) A minimum of ten percent (10%) of the *dwelling* units are designated as affordable, as specified in a *Housing Agreement* and where the owners enter into a *Housing Agreement* with the City, and where this Agreement is filed with the Land Title Office; and
- (f) A common meeting room or amenity room containing a minimum of 22 m<sup>2</sup> (235 ft<sup>2</sup>) is provided.

5.24.5 Site Specific Uses

The following *uses* shall be permitted on a site specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
<del>(Bylaw 4914) Dwelling units at street level</del>	<del>4815 Argyle Street</del>	<del>Parcel A, Block 41, Plan VIP197B, Alberni Land District (Being a consolidation of Lots 8 &amp; 9, See FB348042)</del>
Glass shop	4650 Margaret Street	Lot A, District Lot 1, Alberni District, Plan VIP28247
<del>Liquor, wine, and beer store</del>	<del>(Bylaw 4869) 5170 Argyle Street</del>	<del>Lots 23 &amp; 24, Block 86, District Lot 1, Alberni District, Plan 197</del>
Liquor, wine, and beer store	4963 Angus Street	That portion of Lot B, District Lot 1, Alberni District, Plan 32610 north of Angus Street
Liquor, wine, and beer store	5086 Johnston Road	Lot 1, District Lot 1, Alberni District, Plan EPP13767

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## OCP SECTION 3.0 - TEMPORARY USE PERMITS

From Official Community Plan:

### **1.0 TEMPORARY USE PERMITS**

**BYLAW 4818** The Local Government Act (Section 921) allows a local government to issue a Temporary Use Permit. The permit may be issued for a three year term, with the possibility of a renewal for an additional three years.

#### **Council Policy**

1. Temporary Use Permits may be considered on all lands designated as Industrial Use or Commercial Use on the Schedule "A" (Land Use Map).
2. The issuance of a Temporary Use Permit is intended to provide a short term opportunity for uses that either relocate or cease to exist within a maximum of a six year period.
3. Ensure long-term public policy for the area is not changed.
4. Maintain a reasonable level of compatibility with the surrounding development.

### OCP LAND USE MAP

