

## To: Port Alberni Advisory Planning Commission

Stefanie Weber (снаік) Harley Wylie (vice-снаік, Tseshaht (ċ išaaʔatḥ) F.N)	Sandy McRuer Jack Roland	
Dan Holder		
Joe McQuaid	Councillor Dustin Dame (Council Liaison)	
Councilor Serena Mayer, (Hupačasath F.N)	Cpl. Jordan Hamlyn, (R.C.M.P. Liaison)	
Larry Ransom, (SD70 Liaison)	Derrin Fines (P.A.F.D. Liaison)	
Callan Noye	Wayne Mihalicz (Parks Liaison)	
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From: Scott Smith, Director of Development Services/Deputy CAO)

Copy: C. Washington (Alternate - School District #70) Ken Watts (ECC, Alternate - Tseshaht (ċ išaa?atḥ) F.N) Sgt. Ryan Archer, (Alternate - R.C.M.P. Liaison) Councillor D. Haggard (Alternate - Council Liaison) Corporate Services: S. Darling, K. Motiuk, T. Feltrin, A. O'Connor Development Services/Planning: B. McLoughlin, H. Stevenson, C. Foden

Date: December 12, 2024

Re: Advisory Planning Commission Meeting Thursday, December 19, 2024 at 12:00 pm

A meeting of the Advisory Planning Commission has been scheduled for **Thursday, December 19, 2024 at 12:00 pm** in the Council Chambers at City Hall (4850 Argyle St.). Contact Cara Foden (T:250-720-2850 / email: <u>Cara Foden@portalberni.ca</u>) or Brian McLoughlin (T: 250.720.2806 / email: <u>Brian McLoughlin@portalberni.ca</u>) if you require more information.

## APC AGENDA

- 1. Acknowledgements and Introductions- This APC meeting is being held within the un-ceded traditional territories of the Hupačasath and the Tseshaht/ć išaa?ath First Nations.
- 2. Adoption of minutes of the October 17, 2024 meeting
- 3. DEVELOPMENT APPLICATION: Zoning Bylaw amendment
   5036 Argyle Street Lot 1, District Lot 1, Alberni District, Plan, EPP134423 PID: 032-189-273
   APPLICANT: Carsten Jensen (Architect, AIBC) for Dr. M. Fouad
- 4. Updates Manager of Planning
- 5. Other business
- 6. Adjournment The next regular APC meeting is scheduled for Thursday, January 16, 2025.



# Summary Report / Minutes of the Advisory Planning Commission Meeting held on October 17, 2024 at 12:00 p.m. (Council Chambers, Port Alberni City Hall, 4850 Argyle Street)

Commission Members Present	<u>Staff</u>
Stefanie Weber (CHAIR)	Scott Smith, Director of Dev. Services/Deputy CAO
Harley Wylie (vice-chair, Tseshaht (ċ išaa?atḥ) F.N)	Haley Stevenson, Planner I
Dan Holder	Cara Foden, Planning Technician
Sandy McRuer	
Larry Ransom (S.D.70 Liaison)	<u>Guests</u>
Councilor Dustin Dame (Council Liaison)	Applicants: D. Firouzli, D. Appleton, B. Denning, J. Jessup
Derrin Fines (P.A.F.D. Liaison)	Members of the public: None
Sgt. Jordyn Hamlyn (R.C.M.P. Liaison)	
<u>Regrets</u>	Alternates and Staff not in attendance

Regiels
Joe McQuaid
Councilor Serena Mayer, (Hupačasath F.N)
Callan Noye
Jack Roland

## Alternates and Staff not in attendance

Christine Washington (Alternate - School District #70) Ken Watts (ECC, Alt. Tseshaht (c išaa?ath) F.N) Councilor Deb Haggard (Alt. Council Liaison) Brian McLoughlin, Manager of Planning



## 1. Acknowledgements and Introductions

The Chair acknowledged that this meeting is being held within the un-ceded, traditional territories of the Hupačasath Nation and the Tseshaht (c išaa?ath) First Nation.

## 2. Adoption of previous meeting minutes:

Summary Report/Minutes from the APC Meetings held on June 20, 2024

## (Holder / McRuer) CARRIED

# 3. DEVELOPMENT APPLICATION: Official Community Plan (OCP) and Zoning Bylaw 6123 Russell Place (Rainbow Gardens) - Lot 2, Section 9, Alberni District, Plan, 15459 PID: 001-823-591 PID: 001-823-591

APPLICANT: Daryoush Firouzli Architecture Inc.

- The Planner presented a summary of the application. A full report dated September 27, 2024 was included in the Agenda package for this meeting.
- Attendees discussed the proposed bylaw amendments as follows:
  - A public information meeting was held on June 6<sup>th</sup>, 2024. Approximately 10-15 people (mostly residents of existing multi-family building) attended. Concerns included accessibility and walkability.
  - Distance to services may increase number of residents using cars and need for parking.
  - Less than 0.5 parking spaces per dwelling unit is proposed.
  - The operators have access to two (2) busses used for the adjacent care facility, and intend to organize regular trips to town for residents of the multi-residential buildings. This program is not yet in place.
  - City bus stop approximately 350 m away.

- Applicant intends for parking on adjacent Rainbow Gardens property to be shared for this development.
- The applicant expressed that the parking ratio for the RG48 building (existing 5-storey multiresidential building on adjacent property) is similar to what is proposed for this development, and is based on parking requirements for seniors and long-term care facilities.
- Most tenants are lower-income and do not own cars. Applicant felt that ~ 50% of residents may have cars.
- Handi-Dart service is available in Port Alberni.
- There is no playground on the site now.

## Motions:

1. That the Advisory Planning Commission recommends to City Council that Council support the application.

## (Ransom / McRuer) CARRIED

## 4. Updates from the Director of Development Services

- Council direction will be sought for development at 15<sup>th</sup> Ave and Montrose St. pending OCP timing.
- Microtel project on Johnston Rd. is moving forward and awaiting release letter from Min. of Environment.
- OCP draft document is in progress and will incorporate community direction that recognizes the findings of recent Housing Needs Assessment reporting. The report indicated that a large increase in the number of dwelling units was recommended for Port Alberni
- Public Hearing was held on September 9, 2024 for Uchucklesaht development at 3830 5<sup>th</sup> Ave. (~112 units).
- Public Hearing for Beaver Creek Home Center was held on October 15<sup>th</sup>, 2024.
- Development at 4<sup>th</sup> Ave. & Mar St. (5 storey's, 40 units, mixed use) is M'akola Housing in conjunction with BC Housing. A Building Permit must be obtained prior to construction.
- Current construction on Burde St. will result in new underground infrastructure and above ground streetscape improvements.

## 5. Other Business: None

6. Adjournment – The meeting adjourned at 1:00 pm. The next regular meeting is scheduled for 12:00 pm on Thursday, November 21, 2024.

## (McRuer / Wylie) CARRIED

(Chair)

APC-SummaryMinutes-Oct17-2024



## DEVELOPMENT APPLICATION REFERRAL PRELIMINARY REVIEW REPORT

TO: Advisory Planning Commission

FROM: Haley Stevenson, Planner I

DATE: December 12, 2024

SUBJECT:DEVELOPMENT APPLICATION – AMENDMENTS TO ZONING BYLAWADDRESS:5036 Argyle Street, Port AlberniLEGAL:LOT 1 DISTRICT LOT 1 ALBERNI DISTRICT PLAN EPP134423 (PID: 032-189-273)

APPLICANT(S): Carsten Jensen Architect

#### PURPOSE

To consider an application for a text amendment to the Zoning Bylaw that would enable two ground-floor residential dwelling units in the existing building at 5036 Argyle Street.

#### SUBJECT PROPERTY AND SITE CONTEXT

5036 Argyle Street (subject property) is located in the south-east corner of the Argyle Street and  $2^{nd}$  Avenue intersection in the Uptown commercial area. See Figure 1. The property is designated *General Commercial (GCO)* in the Official Community Plan and zoned *C7 Core Business* in the Zoning Bylaw. Surrounding properties are also zoned C7. See the zoning map in Figure 1(a).

The subject property is occupied by an existing two-storey vacant building. A development permit (DP23-04) was issued in August 2023 for exterior building renovations. The applicant is now applying for zoning amendments to enable two ground-floor dwelling units.

Location	South-east corner of Argyle Street and 2 <sup>nd</sup> Avenue intersection.	
Current Land Use	General Commercial (GCO)	
Current Zoning	C7 Core Business	
Proposed Zoning	Text Amendment to C7 Core Business zone	
Total Area	707.7 m <sup>2</sup>	
Official Community Plan (OCP)	<ul> <li>Schedule A - Land Use Map</li> <li>Schedule B - Development Permit Areas Map</li> <li>Section E Implementation – 1.0 Development Permit Areas</li> <li>Section D Plan Policies – 5.1 General Commercial (GCO)</li> <li>Section D Plan Policies – 5.2 Southport within the GCO Designation</li> </ul>	





#### SUMMARY OF DEVELOPMENT APPLICATION

Proposed amendment to the Zoning Bylaw:

1. Text amendment to add '*Dwelling units at ground level*' as a site-specific use of the C7 – Core Business zone for the subject property at 5036 Argyle Street.

#### Proposed Development

The applicant proposes to renovate the building's interior into eight (8) separate units:

- Two (2) ground-floor '*live-work*' units fronting Argyle Street
- Two (2) ground-floor residential units at the rear of the building, with one facing 2<sup>nd</sup> Avenue
- Four (4) residential units on the upper floor

The Zoning Bylaw text amendment would enable two ground-floor residential units at the rear of the building. The proposed ground-floor layout is shown in Figure 2, the dwelling units are highlighted yellow.



## Vehicle Access and Parking

Development Permit No. 23-04 proposed an on-site parking lot for occupants of the building. A total of 5 parking spaces would be provide for 8 dwellings, which meets zoning requirements for residential units in the C7 zone (0.5 spaces per dwelling unit).

#### Infrastructure

The property would be connected to City services and the applicant is responsible for the cost of all necessary upgrades.

#### **POLICY REVIEW**

#### **Official Community Plan**

The proposed amendment does not align with General Commercial (GCO) land use policy in the OCP which states that residential uses should be located above the ground-floor. OCP policy also states that multi-residential buildings are not supported on Argyle Street or 3<sup>rd</sup> Avenue, though they are permitted on other streets within the Southport area (See Table 1).

The subject property is located on Argyle Street, and the proposal is to develop ground floor residential units. The OCP does not support ground floor units or multi-residential development in this location.

Table 1: General Commercial OCP Policy		
OCP Section	Text	
General Commercial - Council Policy 5.1.1	Lands designated as General Commercial (GCO) on Schedule "A" (Land Use Map) are to be used for a broad range of pedestrian-scale uses including retail, office, financial, institutional, service, entertainment, food and beverage, and accommodation. Residential is permitted where it is located above ground floor commercial, unless stated otherwise.	
Southport within the GCO Designation – Council Policy 5.2.7	Densification of Southport with residential above ground floor commercial is supported in an effort to provide different forms of housing, increase vibrancy in the area, and enhance the area as a people place.	
	However, residential buildings which exclude a commercial component will be encouraged to locate on streets other than the main shopping streets of Argyle Street and Third Avenue.	
	Other than in the Southport General Commercial (GCO) district, developments that are limited only to multi-family residential use are not permitted within the General Commercial (GCO) designation.	

#### Zoning Bylaw No. 5105

The Zoning Bylaw requires that properties in the C7 zone have commercial uses at ground-level. Residential uses are permitted on the upper floors. The intent is to maintain vibrant commercial neighbourhoods that provide goods and services to residents and the travelling public. See attached *C7 Core Business zone description.* 

Ground-level dwelling units are only permitted in the C7 zone if:

- 1. The dwelling is part of a 'live-work' unit that has a commercial use; or
- 2. The property is developed according to the *RM3 High Density Residential* zone (larger setbacks, lower site coverage, etc.). The existing building predates the Zoning Bylaw and does not meet RM3 minimum requirements.

Mixed-use buildings (ground-floor commercial with residential above) are encouraged in C7 neighborhoods because they add residential density while maintaining the neighborhood's commercial function and character. Argyle Street is characterized by several mixed-use buildings with a continuous commercial frontage at street-level. See Figure 3.



#### Street-Level Uses in Downtown Areas

Community planning best practices employ tactics to encourage pedestrian activity, and avoid creating 'dead-frontages' in downtown areas and commercial main streets. A common tactic is to concentrate goods and services, and other pedestrian-oriented uses at the street level to maximize interactions with passing by pedestrians. Street-level commercial uses are important for supporting active and vibrant commercial streets/neighbourhoods because:

• It attracts pedestrians to the neighbourhood, including residents and travelling public;

- It contributes to local economy by generating shopping activity around local and smaller-scale commercial businesses;
- It encourages pedestrian use of surrounding sidewalks, streets, and public spaces throughout the day;
- It enables opportunities for additional street activity (e.g. outdoor cafes/patios and shopping);
- More street activity means more 'eyes on the street', which contributes to neighbourhood safety;
- They have more transparent street-facing windows (privacy is not required) which allows pedestrians to see activity inside buildings and encourages interaction; and
- Frequent storefront entrances can contribute to the visual interest of a street.

Argyle Street is a key commercial corridor within the Uptown/Southport area that contributes to the neighborhood's sense of place. Allowing non-commercial uses at street-level may reduce the community benefits of a commercial neighbourhood. Over the long term, it can be a barrier to neighbourhood revitalization, as the zoning may discourage redevelopment of the property for commercial/services in the future.

#### Uptown District Revitalization Strategy (UDRS)

Although the application would add dwelling units in the Uptown area, it does not align with Economic Development Strategies in the UDRS focused on activating 'dead' storefronts with appropriate commercial and pedestrian-oriented uses.

USDR Section	Text
Economic Development Strategies	<ul> <li><u>Strategy:</u> Provide leadership to address the issue of empty commercial storefronts in Uptown.</li> <li>Work with property owners to determine the causes of empty storefronts and land-use noncompliance.</li> <li>Enforce bylaws to ensure land use compliance (for example: commercial spaces should be used for business, not as storage).</li> <li>Develop a program to encourage activating unused storefronts. For example, work with local artists and merchants to create popup galleries or other programming. This would promote storefront continuity despite a business being closed or having limited hours.</li> <li>Objective: See a reduction in the number of empty storefronts in the Uptown</li> </ul>
	District. Commercial properties are used for commercial business.

#### Additional Information on Live-Work Units

'Live-work' units are permitted in the C7 zone because they include businesses that typically require publicly-accessible commercial spaces. See 'live-work' definition below. The intent of these units should be to maintain an active commercial storefront, however, the zoning bylaw does not currently contain any regulations on 'live-work' unit design.

Zoning Bylaw Section	Text
Section 4: Definitions	LIVE-WORK means the use of premises for:
	(a) a dwelling unit, and

(b) a business operated by the occupant of the dwelling unit that may
include Day Dare, personal service, artist's studio, general or
professional office use, but does not include: any dating service,
entertainment service, exotic dancer business, social escort business,
tattooing, piercing, branding, or other similar business.

#### REFERRALS

Referrals were sent to external agencies and internal departments. BC Hydro and Fortis BC provided technical feedback regarding servicing. No other comments/concerns were received.

#### Staff Notes:

- Although the OCP encourages multi-residential development within Southport's GCO land, it is not supported at the subject property because it is located along Argyle Street.
- According to the OCP, residential units should be located above commercial uses in the GCO land use designation. *'Live-work'* units are permitted on ground-floors because they include commercial uses.
- If the zoning amendments is adopted, it would enable development of two dwelling units (apartments) at the rear of the building's ground-floor. While housing is much needed in Port Alberni, this means no commercial on 2<sup>nd</sup> Avenue. See attached building elevations.
- Long-term, dwelling units at street-level will mean less activity at the Argyle Street/2<sup>nd</sup> Avenue intersection, and may be a barrier to revitalization of the Uptown neighbourhood.
- Dwelling units at street level are permitted in all residential zones throughout Port Alberni, but downtown "main streets" should be preserved to ensure the commercial fabric of the neighbourhood is viable in the future.
- The current Zoning Bylaw allows the owner to convert the entire ground floor to *'live-work'* units as an alternative, however, a licensed commercial business would need to operate from each unit along with the living space.
- A Development Permit was previously issued for exterior renovations. A Building Permit is still required for interior renovations.
- A Public Hearing would be required because the proposed Zoning Bylaw amendment does not align with the GCO land use designation, and GCO policy in the OCP.

#### **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

- 1. Relevant Policy Summary
- 2. Zoning Description
- 3. Site Plan & Building Elevations

#### Attachment 1: RELEVANT POLICY SUMMARY

The following table contains relevant policy statements on properties located within the *General Commercial* (GCO) land use designation found in the Official Community Plan Bylaw and relevant strategies from the Uptown District Revitalization Strategy.

Document & Section	Text
OCP Section 2.0 Land Use Designations	General Commercial (GCO): Identifies areas that permit a wide range of uses such as retail, office, entertainment, food and beverage, and mixed commercial/residential. The purpose is to maximize the economic and social vitality of these areas. It is expected that associated development will provide an enhanced pedestrian experience to promote non-vehicle shopping trips.
OCP Section 5.1 General Commercial Council Policy	Lands designated as General Commercial (GCO) on Schedule "A" (Land Use Map) are to be used for a broad range of pedestrian-scale uses including retail, office, financial, institutional, service, entertainment, food and beverage, and accommodation. Residential is permitted where it is located above ground floor commercial, unless stated otherwise.
OCP Section 5.1 General Commercial Council Policy	The City will encourage the concentration of commercial development in established commercial nodes. It should complement the character of adjacent land uses and achieve an appropriate human scale in order to create compact and vibrant shopping nodes
OCP Section 5.1 General Commercial Council Policy	Large format retail is permitted within this designation however, it must respond to the principles of compact, vibrant and pedestrian-friendly urban form. This is to be achieved by respecting existing block patterns, preserving the rhythm of small-scale, pedestrian oriented commercial retail units along the street frontage, and containing the majority of off-street parking within the building envelope.
OCP Section 5.1 General Commercial Council Policy	Infill and redevelopment of underutilized commercial lands will be a priority for the City in order to achieve compact urban form, and to mitigate against excessively dispersed development.
OCP Section 5.2 Southport Within the GCO Designation	The role of Southport as a primary shopping, tourist, cultural, residential and social node with a distinctive sense of place is supported and is to be achieved through a coordinated and sensitively developed program of streetscape enhancements and public space improvements (particularly in association with the waterfront). This may form an integral part of a comprehensive urban design plan.
OCP Section 5.2 Southport Within the GCO	Densification of Southport with residential above ground floor commercial is supported in an effort to provide different forms of housing, increase vibrancy in the area, and enhance the area as a people place.
Designation	However, residential buildings which exclude a commercial component will be encouraged to locate on streets other than the main shopping streets of Argyle Street and Third Avenue.
	Other than in the Southport General Commercial (GCO) district, developments that are limited only to multi-family residential use are not permitted within the General Commercial (GCO) designation.

UDRS Economic Development	<u>Strateqy</u> : Prioritize density in new housing developments to promote walkability and local shopping.
Strategies	<u>Objective:</u> Increase the number of people living in proximity to the commercial areas in Uptown.
UDRS Economic Development	<u>Strategy:</u> Provide incentives for businesses to (re)locate and thrive in the Uptown District through city-led marketing and programming
Strategies	<u>Objective:</u> See new growth in the number of businesses in the Uptown business District.
UDRS Economic Development Strategies	<ul> <li><u>Strategy:</u> Provide leadership to address the issue of empty commercial storefronts in Uptown.</li> <li>Work with property owners to determine the causes of empty storefronts and land-use noncompliance.</li> <li>Enforce bylaws to ensure land use compliance (for example: commercial spaces should be used for business, not as storage).</li> <li>Develop a program to encourage activating unused storefronts. For example, work with local artists and merchants to create popup galleries or other programming. This would promote storefront continuity despite a business being closed or having limited hours.</li> <li><u>Objective:</u> See a reduction in the number of empty storefronts in the Uptown District. Commercial properties are used for commercial business.</li> </ul>
UDRS	Strategy: Provide incentives for businesses to (re)locate and thrive in the Uptown District
Economic	through city-led marketing and programming.
Development	
Strategies	<u>Objective:</u> See new growth in the number of businesses in the Uptown business District.
UDRS	<u>Strategy</u> : Permit restaurants and cafes to utilize sidewalks and parking spaces for patio
Economic Development	seating where traffic safety allows.
Strategies	Objective: The "Temporary Use Sidewalk Program" is expanded.

# **C7 – CORE BUSINESS**

- **5.21** 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.
  - 5.21.1 Permitted Uses

Principal Uses Adult retail Amusement establishment Appliance repair Artist's studio Assembly Automotive sales, repair and servicing Bakery Bank or other financial institution Boat or recreational vehicle sales and repair Cannabis Retail Store, subject to 6.26 Club or lodge Community care facility Daycare or other preschool Gasoline service station Government service

Hotel, Motor hotel and hostel Live-work Lumber and Building Materials Retailers and Wholesalers Medical service Micro-Brewery/Micro-Distillery Multi-residential dwelling Nightclub, Cabaret, Bar and Pub Parking lot Pawn shop Personal service Place of worship Printing, publishing and allied industry

Principal Uses (continued) Professional service Public market Restaurant, including drive-through Retail School Senior's housing Shopping centre Single or semi-detached dwelling (built prior to the adoption of this bylaw) Small appliances and electronics, sales and repair Social service centre Theatre **Tourist Services** Transportation Dispatch and Depot **Tutoring Service** 

<u>Accessory Uses</u> Home Occupation Residential above commercial Office

<u>Site-Specific Uses</u> Dwelling units at ground level Glass shop Liquor, wine, and beer store

#### 5.21.2 Site Development Regulations

40 m <sup>2</sup>	(5,812.7ft <sup>2</sup> )
15 m	(49.2 ft)
90%	
0 m	
3 m	(9.8 ft)
0 m	
16 m	(52.5 ft)
3.0	
	3 m 0 m 16 m

#### 5.21.3 <u>Conditions of Use</u>

- 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 Section 5.21.3(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*.
- Where multi-residential *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.

# 5.21.4 Site Specific Uses

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

<u>Use</u>	Site Address	Site Legal Description	
Glass shop	4650 Margaret Street	Lot A, District Lot 1, Alberni	
		District, Plan VIP28247	
Liquor, wine, and	4963 Angus Street	That portion of Lot B,	
beer store		District Lot 1, Alberni	
		District, Plan 32610 north of	
		Angus Street	
Liquor, wine, and	5086 Johnston Road	Lot 1, District Lot 1, Alberni	
beer store		District, Plan EPP13767	



PROJECT NO 2202 DATE: JUL 17.2025 SCALE 1.75

BUILDING ELEVATIONS APARTMENT BUILDING 5036 ARGYLE ST. PORT ALBERNI

2 WEST[2ND AVE.] ELEVATION

Carsten Jensen Architect #107-063 BEACH ROAD QUALICUM BEACH, BC, YSK 2H7 TELEPHONE (250) 752 0292 carsten@carstenjenserarchitect.com



NOTE ALL LIGHTS TO BE FULL CUT-OFF LED.



# 3 SOUTH ELEVATION



