



# ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: October 20, 2021

From: Jayden Riley, Planner II

File No: Z 21-08

Subject: **Z 21-08; Site-Specific Text Amendment (Rezoning); 3595 Elliott Road**

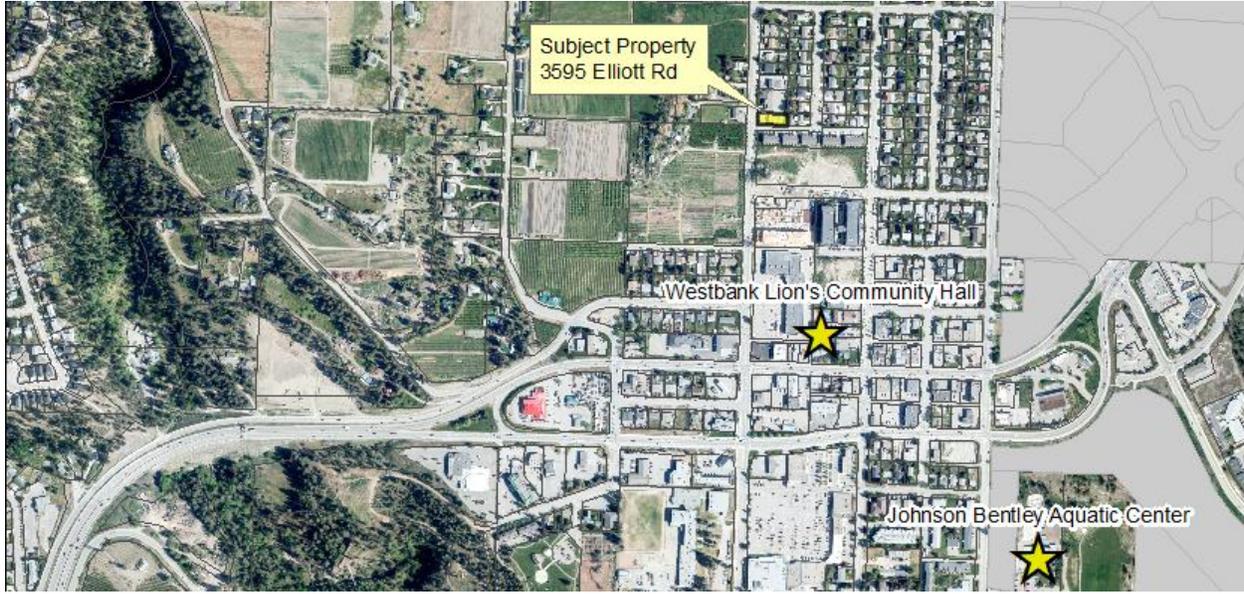
## BACKGROUND

This application is seeking to rezone the subject property in the form of a site-specific text amendment to permit live/work unit use. The subject property is currently zoned Neighborhood Commercial (C2). The proposal is to rezone the property to permit live/work unit use at the specific site while maintaining the existing C2 Zone.

PROPERTY DETAILS			
<b>Address</b>	3595 Elliott Road		
<b>PID</b>	004-645-839		
<b>Folio</b>	36412643.580		
<b>Lot Size</b>	1,011 m <sup>2</sup>		
<b>Owner</b>	Adriano Aprile	<b>Agent</b>	Matt Johnston, Lime Architecture Inc.
<b>Current Zoning</b>	Neighbourhood Commercial (C2)	<b>Proposed Zoning</b>	Neighbourhood Commercial (C2) with Live-Work Unit use
<b>Current OCP</b>	Commercial	<b>Proposed OCP</b>	Commercial
<b>Current Use</b>	Vacant	<b>Proposed Use</b>	Commercial, Live-Work
<b>Development Permit Areas</b>	Commercial		
<b>Hazards</b>	None		
<b>Agricultural Land Reserve</b>	No		

ADJACENT ZONING & LAND USES		
<b>North</b>	^	Neighbourhood Commercial (C2)
<b>East</b>	>	Westbank Centre Compact Residential (RC1)
<b>West</b>	<	Single Detached Residential (R1)
<b>South</b>	v	Westbank Centre Multiple Residential Zone (R5)

## NEIGHBOURHOOD MAP



## PROPERTY MAP



## DISCUSSION

### Proposal

This application is seeking to rezone the subject property in the form of a site-specific text amendment to permit live/work unit use on the property while maintaining the Neighborhood Commercial (C2) Zone. The application has provided preliminary plans, including a rendering of the concept (*Figure 1*), however building form and character would be reviewed at time of development permit, subject to rezoning.



**Figure 1:** conceptual rendering of live-work unit

### Applicant Rationale

The applicant has identified a priority to density within an established community while respecting the surrounding area and neighbourhood in a development that combines the commercial and residential aspects of the neighbouring properties.

### Site Specific Considerations

The subject property is located in the Westbank Centre Neighbourhood, on the corner of Elliott Road and a laneway connecting to Springer Road. The laneway on which the property has frontage is 6.0 m wide and does not permit on-street parking. Parking is known to City Bylaw Compliance to be an enforcement challenge for Elliott Road, as on-street parking on this arterial road is not permitted.

### **Policy and Bylaw Review:**

#### Official Community Plan No.0100

The subject property has a Commercial Land Use Designation (LUD), intended to consist of a variety of built forms reflecting a diversity of retail, office, and personal service uses, with opportunities for increased density and height in the Boucherie/Westbank Centre, and opportunity for above street residential where appropriate. There is no amendment to the LUD proposed.

The property is located within the Westbank Centre Growth Management Designation (GMD). GMDs are more descriptive than regulatory, but are intended to identify growth priorities areas and their broad attributes and characteristics are in line with the Community Vision outlined in Section 2 of the Official Community Plan. The desired attributes of this GMD include a mix of residential, commercial, and civic uses. The purpose of this GMD is to foster urban growth through infill and intensification as a preferred option alternative to continued expansion of low density development.

The subject property is located within a Commercial Development Permit Area and may also be subject to a Multiple Family and Intensive Residential Development Permit should future development consist of apartments, which are permitted are permitted secondary use in the C2 Zone. Both Development Permit Areas would consider form and character and be reviewed in accordance with the City's guidelines at time of Development Permit.

#### Zoning Bylaw No. 0154

The subject property is zoned Neighbourhood Commercial (C2). This zone is intended to accommodate a limited range of convenience services typically required on a day-to-day basis by residents of local neighbourhoods. The permitted uses of this zone include:

- Care facility, major
- Fire, police or ambulance service
- Office
- Personal service establishment
- Postal or courier service
- Recreation services, indoor
- Retail, convenience
- Restaurant, except drive through
- Apartment (secondary use, shall be located above the non-residential use)

The proposed site-specific text amendment is to permit 'live/work unit' use, which is defined as a commercial use combined with a dwelling unit whose occupant of the dwelling is the primary operator of the commercial use. Live-Work unit use is permitted only in the City's Urban Centre Commercial (C1) Zone. The C1 and C2 Zones permit similar uses with the exception of live/work unit and retail convenience.

Off-street parking requirements vary by use and are outlined in Part 4 of the Zoning Bylaw. A live-work unit requires one parking space per unit.

#### **Technical Review:**

A Functional Servicing Report was submitted with this application, prepared by Tetra Tech. The report outlines existing and proposed water, sanitary sewer, and storm water services. This information and any off-site improvements, including frontage improvement, will be confirmed following staff review of the application.

#### **Referrals:**

The subject application has been referred to various internal department and external agencies for comment. At this time, the application is still in the referral period and comments have not yet been submitted.

**Public Notification:**

Notice of Application signage has been posted on the property in accordance with the City’s Development Applications Procedures Bylaw No. 0260. Additional notification by mail and advertisement in the local newspaper is required under the *Local Government Act*, subject to receiving 1<sup>st</sup> and 2<sup>nd</sup> Reading, which will advise of the time and date of the Public Hearing and how to make a submission for Council’s consideration.

**KEY CONSIDERATIONS**

In providing recommendations to City staff and Council, the APC may wish to consider the following:

- The proposed use is consistent with the existing Commercial Land Use designation and Westbank Centre Growth Management Designation;
- Form and character is not being considered as part of the proposed rezoning application, but would instead be reviewed at time of development permit, subject to rezoning; and
- Should Council give 1<sup>st</sup> and 2<sup>nd</sup> Reading to the proposed zoning amendment, a Public Hearing would be scheduled and the public would be sent notification by mail and by advertisement in the local newspaper to advise of the time and date of the Public Hearing and how to make a submission for Council’s consideration.

Specific comments would be appreciated should the APC have any concerns with the proposed rezoning application, so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Jayden Riley, Planner II

Powerpoint: Yes  No