



- the subject property previously had legal non-conforming status. The commercial use was discontinued for a period longer than six months and therefore the legal non-conforming status is no longer applicable
- there is an existing vacant commercial building and associating surface parking lot on site. This Temporary Use Permit would be in place while the *Hillside Quadra Neighbourhood Plan* is updated through the Neighbourhood Planning process.

## **BACKGROUND**

### **Description of Proposal**

The proposal is for a Temporary Use Permit to allow commercial use of the property for a period of up to three years. There is an existing building and a 13-stall surface parking lot currently on site. The property and building were previously used for commercial purposes through legal non-conforming status; however, the use was discontinued for a period longer than six months and therefore the legal non-conforming rights have ceased to exist.

### **Sustainability Features**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation Impacts**

The Application proposes the addition of three Class 1 bicycle stalls and four Class 2 bicycle stalls, which support active transportation.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Temporary Use Permit Application.

### **Existing Site Development and Development Potential**

The site is presently a vacant one-storey commercial building with a surface parking lot at the rear of the site.

Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a single family dwelling with either a secondary suite or a garden suite, or as a two-family dwelling.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on March 6, 2018 the Application was referred for a 30-day comment period to the Hillside-Quadra CALUC. At the time of writing this report, a letter from the CALUC had not been received.

## ANALYSIS

### Official Community Plan

The *Official Community Plan* (OCP) identifies this property within the Urban Residential designation, which envisions commercial uses as part of a mixed-use residential development. Stand-alone commercial uses are not envisioned within this designation and therefore a rezoning and OCP amendment would be required for permanent stand-alone commercial. However, the OCP also designates the entire City for the issuance of Temporary Use Permits for uses that would not be permitted on the lands for which they are proposed.

### Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* (1996) identifies the property within the "Maintain Current Zoning" designation. The proposal is generally consistent with this designation, as there is no rezoning occurring and thus the underlying zoning is remaining the same. In addition, this Temporary Use Permit will temporarily allow the commercial use while a new neighbourhood plan is developed for the Hillside-Quadra neighbourhood.

### Regulatory Considerations

City policy for Hillside Avenue contemplates a wider road right-of-way in order to meet future transportation-related needs such as cycling infrastructure. When the road right-of-way is insufficient, it is common that a Statutory Right-of-Way (SRW) be provided in conjunction with development applications. In this case, the proposal relates to use only and there are no plans for new construction. The property owner has indicated willingness to accommodate the City in providing a SRW in the future when the site is rezoned for any redevelopment. Therefore, in this instance foregoing the SRW requirement may be warranted.

## CONCLUSIONS

Stand-alone commercial would normally not be supportable by staff within the Urban Residential designation. However, the property has an existing vacant commercial building on-site and associating surface parking lot, is located along an arterial road and is adjacent to another stand-alone commercial use. In addition, the renewal of the *Hillside-Quadra Neighbourhood Plan* may be underway or completed by the time this Temporary Use Permit expires, at which time future land uses could be determined. Therefore, staff recommend Council consider supporting the proposal.

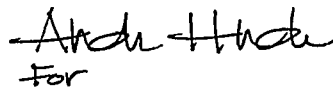
## ALTERNATE MOTION

That Council decline Temporary Use Permit Application No. 00011 for the property located at 1120-1126 Hillside Avenue.

Respectfully submitted,



Michael Angrove  
Planner  
Development Services



For  
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager.

*Joseph J. Jenkins*

Date:

*March 26, 2018*

**List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 9, 2018
- Attachment D: Letter from applicant to Mayor and Council dated February 14, 2018.