



NOTICE OF TEMPORARY USE PERMIT

The Alberni-Clayoquot Regional District's Board of Directors will consider issuing a Temporary Use Permit at their next meeting.

MEETING DETAILS

When: Wednesday, December 11, 2024 at 1:30 pm
Where: Alberni-Clayoquot Regional District (ACRD) office located at 3008 Fifth Avenue, Port Alberni, BC. Electronic, call-in, or in-person attendance options are available.

WHAT'S THIS ABOUT?

File #: TUP24010

Property Owners/Applicants: DG&3 Holdings Ltd.

The subject property is located at 4689-4697 Dundalk Ave S and is legally described as LOT 2, DISTRICT LOT 136, ALBERNI DISTRICT, PLAN 48046

The property owners have applied for a temporary use permit (TUP) to allow for a range of commercial uses on the property in addition to the light industrial uses permitted under the current M1 zoning.

HOW CAN I LEARN MORE?

All related information, including background documents, report and permit, is available at the ACRD office and linked as supplementary information on the ACRD website at www.acrd.bc.ca/events/11-12-2024/.

Planning staff can answer questions in person, through email, or by phone during regular office hours 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays.

If you would like to attend the Board of Directors Meeting, you can do so in person at the ACRD

office, or electronically on our website at www.acrd.bc.ca/events/11-12-2024/.

PROVIDE INPUT!

Providing an opportunity for public input is a top priority for the ACRD. Written correspondence can be submitted by:

- Hard copy delivered to the ACRD office in person or by mail
- Email sent to planning@acrd.bc.ca

Email submissions will only be considered received if receipt confirmation is provided by ACRD staff.

Written submissions must be received by **4:30 pm on December 10, 2024.**

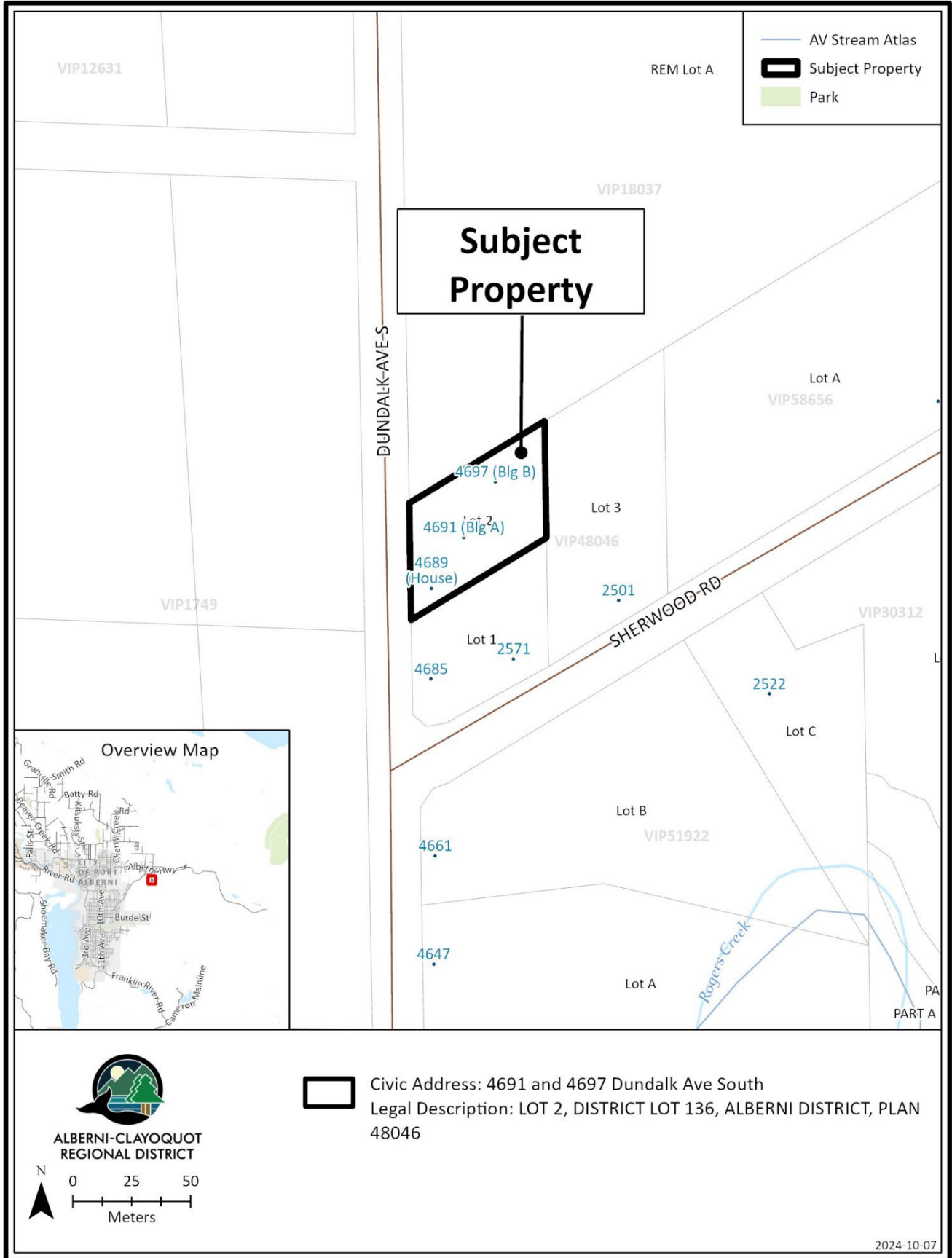
Alternatively, if you wish to appear as a delegation to present your views to the Board in person, please fill out the Delegation Request Form on the ACRD website at www.acrd.bc.ca/delegation and submit the completed form by **12:00 pm on Thursday, December 5, 2024.** For further information or assistance with the Delegation Request Form contact us at 250-720-2700.

ASK US!

If you have questions or experience technical difficulties with website access, Planning staff are available to provide assistance during regular office hours 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays. We can be reached at:

Alberni-Clayoquot Regional District
Planning Department
3008 Fifth Ave, Port Alberni, BC V9Y 2E3
Phone: 250-720-2700
Email: planning@acrd.bc.ca

SUBJECT PROPERTY MAP





To: ACRD Board of Directors

Meeting Date: November 13, 2024

From: Brooke Eschuk, Planner I

Voting Structure: Electoral Area Directors

Electoral Area: 'F' Cherry Creek

Subject: Temporary Use Permit TUP24010 – 4689-4697 Dundalk Ave S (DG&3 Holdings Ltd.)

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors consider issuing Temporary Use Permit TUP24010 subject to neighbourhood notification as per Local Government Act s. 494.

Development Proposal: The applicants have constructed a commercial and industrial complex with individual lease spaces on a Light Industrial (M2) District zoned property located at 4697 Dundalk Avenue South. Two buildings were constructed on the property in 2024; a 6,000 square foot building with 6 individual lease areas and a 2,500 square foot building with 3 individual lease areas located within the structure. Each space has their own exterior access doors and individual washroom facilities and there is a shared parking lot available on-site.

The M2 District zoning permits a range of light industrial, manufacturing, wholesale, warehousing, and office space uses. In addition to small-scale industrial operators expressing an interest in the lease spaces, the applicant has also received interest from a number of commercial businesses looking for space. The commercial uses that have an interest in locating to the property include gym and fitness facilities, spa facilities, dance studio, food retail, and general retail uses. As the commercial uses are not currently permitted in the M2 District zoning, the property owner has applied for a Temporary Use Permit (TUP) to allow for a range of commercial uses in addition to the light industrial uses permitted under the current zoning.

Advisory Planning Commission Recommendation: The Cherry Creek Advisory Planning Commission (APC) reviewed the application at their October 21st meeting where the APC passed a motion to support the Temporary Use Permit.

Property Owner(s)/Applicant(s): DG&3 Holdings Ltd.

Agent: Gord McIntyre

Property Information:

Civic Address	4689-4697 Dundalk Ave South				
Legal Description	LOT 2, DISTRICT LOT 136, ALBERNI DISTRICT, PLAN 48046				
PID	013-108-115	Folio	001726.012	ALR? (Y/N)	N Lot Size 0.29 ha (0.71 ac)
Current Zoning	Light Industrial (M2) District		Proposed Zoning	n/a	
Current OCP	Industrial Use		Proposed OCP	n/a	
Development Permit Area(s)	n/a				
Current Use & Description	The parcel contains two large industrial-scale structures built in 2024 with nine (9) individual +/- 950 square foot customizable bays to be rented to industrial and				

PL20240080 / TUP24010

Alberni-Clayoquot Regional District | 3008 Fifth Avenue, Port Alberni, BC V9Y 2E3 | 250.720.2700 | www.acrd.bc.ca

Serving Port Alberni, Tofino, Ucluelet, Treaty First Nations: Huu-ay-aht, Yuułu?i?ath, Uchucklesaht Tribe Government, and Toquaht Nation, and Six Electoral Areas: "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

commercial tenants. The parcel also contains a single family dwelling constructed in 2024 as a caretaker residence for the development. The property is located in a generally industrial area with a number of neighbouring industrial uses.

Surrounding Zoning and Land Use			
North	Light Industrial (M2) District – Automotive parts and storage use	South	Light Industrial (M2) District – Automotive repair use
East	Light Industrial (M2A) District – Concrete plant and trucking use	West	Forest Reserve (A4) District – Crown Land and Woodlot use

Services:

- a) **Sewage Disposal:** On-site Sewage Disposal System. A new on-site sewage disposal system was installed in 2024 to service the development.
- b) **Water Supply:** Cherry Creek Waterworks System.
- c) **Fire Protection:** The parcel is protected by Cherry Creek Volunteer Fire Department.
- d) **Access:** The parcel is accessed from Dundalk Avenue.

Planning Policy Discussion:

- a) **Official Community Plan:** The parcel is designated Industrial Use. The Cherry Creek Official Community Plan (OCP) supports both heavy and light industrial activities on lands designated as Industrial Use and aims to facilitate growth and diversification of the local economy. A General Planning Objective of the OCP is to “facilitate a wide variety of opportunities for economic activity and employment within the Plan area” (Objective 3.1.4). While the businesses leasing space within the commercial complex are not industrial in nature, they are diverse and support the local economic development of the Cherry Creek area.

This proposal generally complies with the objectives of the Cherry Creek Official Community Plan. The OCP supports the consideration and issuance of TUPs in all land use designations for a period of up to three years.

- b) **Zoning:** The parcel is zoned Light Industrial (M2) District which generally provides for the accommodation of light industrial and industrial park uses under conditions designed to minimize conflicts with surrounding uses. The uses permitted in M2 areas include manufacturing, offices and workshops, wholesale trade, automotive retailers, transport industries, storage, cannabis production (with a 6 acre minimum lot size), and a caretaker residence. The property owner has applied for a TUP to allow for a greater range of commercial businesses to operate from the industrial complex to allow for a more diverse mix of compatible uses.

	Current: M2
Minimum Lot Area (ha)	0.09
Minimum Lot Width (m)	30.4
Principal & Accessory Front Yard Setback (m)	3
Principal Side Yard Setback (m)	Total of side yards not less than 6 m
Principal Rear Yard Setback (m)	3
Accessory Side Yard Setback (m)	0.9
Accessory Rear Yard Setback (m)	0.9
Watercourse Setback (m)	30

As part of the TUP application, the applicants have highlighted a number of commercial uses that they would like to permit within their development. These commercial uses include gym and fitness facilities, spa facilities, dance studio, food retail, and general commercial retail. In order to provide a diverse range of commercial uses in addition to the existing light industrial uses, it is recommended that the TUP allow the commercial uses permitted within the General Commercial (C2) District, excluding accommodation uses.

The proposed mixed commercial and industrial use does not comply with the ACRD Zoning Bylaw. The TUP would allow for general commercial uses in addition to the industrial park and light industrial uses permitted in the M2 zoning.

Temporary Use Permit Conditions: The Temporary Use Permit to allow a range of commercial uses on the subject property, in addition to the light industrial uses permitted in the zoning, may be subject to the following conditions and any additional conditions the ACRD Board of Directors deem appropriate at the time of issuance:

1. This permit is issued to allow for uses permitted in the General Commercial (C2) District on the subject property located at 4689-4697 Dundalk Ave South, in addition to the uses permitted in the Light Industrial (M2) District zoning on the property.
2. The General Commercial (C2) District uses permitted on the subject property would exclude any commercial accommodation uses.
3. Adequate off-street parking must be provided for patrons of each commercial business leasing space on the property.
4. Access to be constructed, operated, and maintained in accordance with any requirements of the Ministry of Transportation & Infrastructure.
5. Signage to be provided in accordance with the requirements in the ACRD Signage Bylaw R1022.
6. Parking to be provided in accordance with Section 300 of the ACRD Zoning Bylaw.
7. All lighting shall be low intensity, unobtrusive, non-flashing, and directed so that it does not create glare or a visual nuisance for neighbours and for traffic on Dundalk Avenue South.
8. This permit is valid for a term of three (3) years from the date of issuance.
9. At the time the permit expires, the property owner may apply to renew the TUP, apply to rezone the parcel, or return the property to the use permitted under the current zoning.
10. If the conditions of this permit are not met or if there is a change of ownership of the property, the ACRD may rescind or terminate the TUP.

Comments:

The newly constructed commercial and industrial facilities are located in an industrial area of Dundalk Ave S. The development includes individual spaces within the 6-unit and 3-unit buildings that are leased to businesses. In addition to industrial tenants within the spaces, there are commercial businesses that are locating their businesses to the site. These commercial uses include gym and fitness facilities, dance studio facilities, general retail uses, and other mixed commercial uses that would be permitted under the General Commercial (C2) District in the Zoning Bylaw. The property owner is applying for a TUP to support the mix of commercial uses in addition to the existing industrial uses already permitted under the Light Industrial (M2) District.

The Cherry Creek commercial core is generally associated with parcels located along the Alberni Highway and Port Alberni Highway corridors with industrial uses focused along Dundalk Avenue S and Sherwood Road. The proposed mix of commercial and industrial uses on this property generally aligns with the character of the area. These businesses will have relatively little impact on and are unlikely to cause disturbance to neighbouring properties or industrial activities. The Cherry Creek OCP supports the expansion of economic development opportunities and employment growth within the Plan area. This mixed use development provides the opportunity to support small business growth within a newly

constructed and purpose-built facility with adequate parking and access to services. The TUP allows a greater range of commercial uses over a three-year time period which will promote greater flexibility for businesses and allow the property owner to test out the mix of uses to determine whether they want to consider zoning amendments in the future to support long-term commercial and industrial tenants at the site.

It is recommended that the Board consider issuing the Temporary Use Permit subject to the neighbour notification and public advertising process.

Submitted by: *Alex Dyer*
Alex Dyer, MCIP, RPP, Manager of Planning

Reviewed by: *Cynthia Dick*
Cynthia Dick, General Manager of Administrative Services

Approved by: *Daniel Sailland*
Daniel Sailland, MBA, Chief Administrative Officer

BC LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE
ON LOT 2, DL 136, ALBERNI DISTRICT, PLAN 48046.

SCALE 1:400



Metric

THE INTENDED PLOT SIZE IS 8.5" X 14"
DIMENSIONS ARE SHOWN IN METRES
AND ARE DERIVED FROM PLAN 48046.

CIVIC ADDRESS:

4691 DUNDALK AVE S.
PORT ALBERNI, BC
PID: 013-108-115

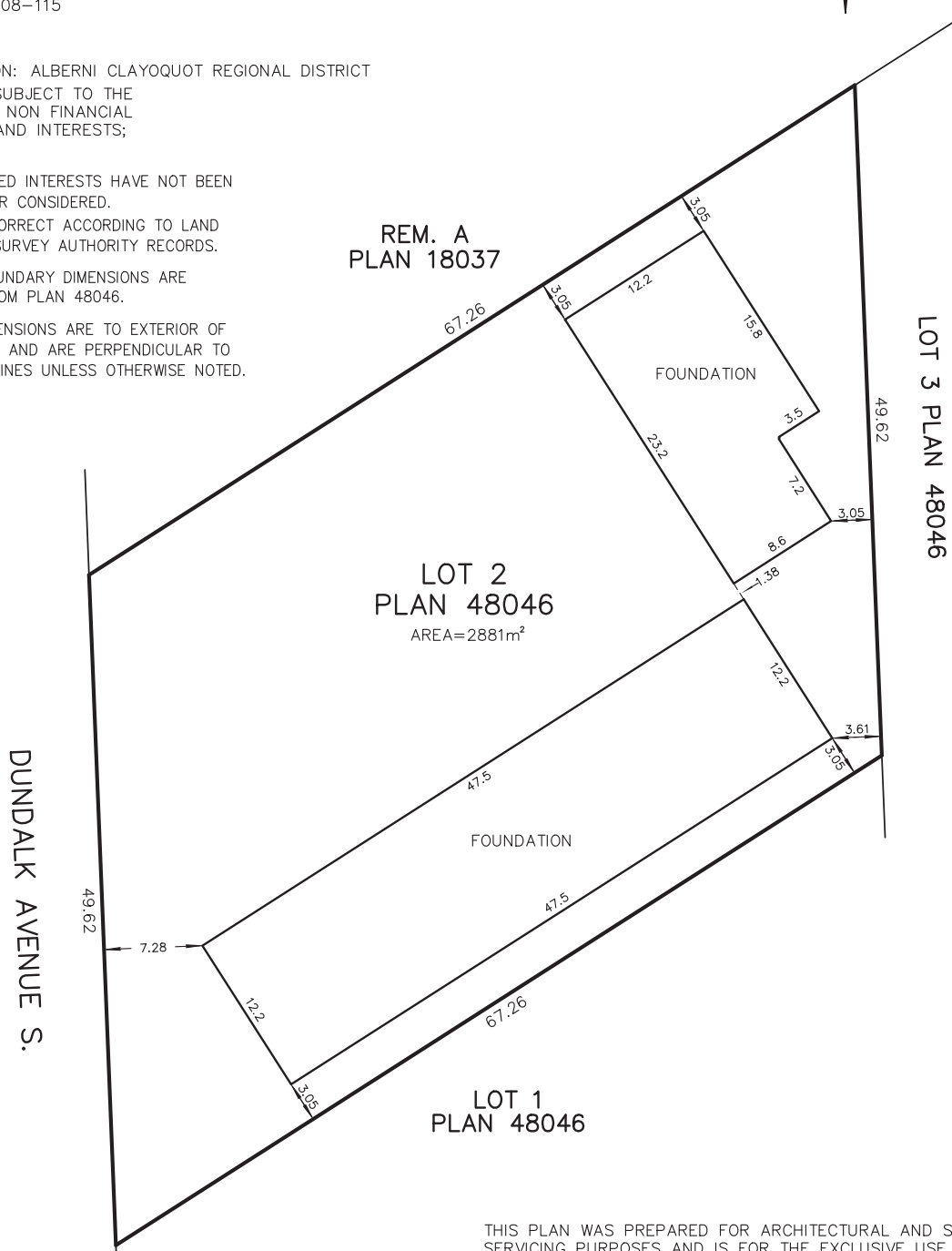
NOTES

JURISDICTION: ALBERNI CLAYOQUOT REGIONAL DISTRICT
LOT 2 IS SUBJECT TO THE
FOLLOWING NON FINANCIAL
CHARGES AND INTERESTS;
M76300.

UNREGISTERED INTERESTS HAVE NOT BEEN
INCLUDED OR CONSIDERED.
CERTIFIED CORRECT ACCORDING TO LAND
TITLE AND SURVEY AUTHORITY RECORDS.

PARCEL BOUNDARY DIMENSIONS ARE
DERIVED FROM PLAN 48046.

OFFSET DIMENSIONS ARE TO EXTERIOR OF
FOUNDATION AND ARE PERPENDICULAR TO
PROPERTY LINES UNLESS OTHERWISE NOTED.



DUNDALK AVENUE S.

REM. A
PLAN 18037

LOT 2
PLAN 48046
AREA=2881m²

LOT 3 PLAN 48046

LOT 1
PLAN 48046

CERTIFIED CORRECT
DATED THIS 15TH DAY OF MARCH, 2024

James Bruce
WBNUVN
Digitally signed by James Bruce
WBNUVN
Date: 2024.03.15
10:19:09 -07'00'

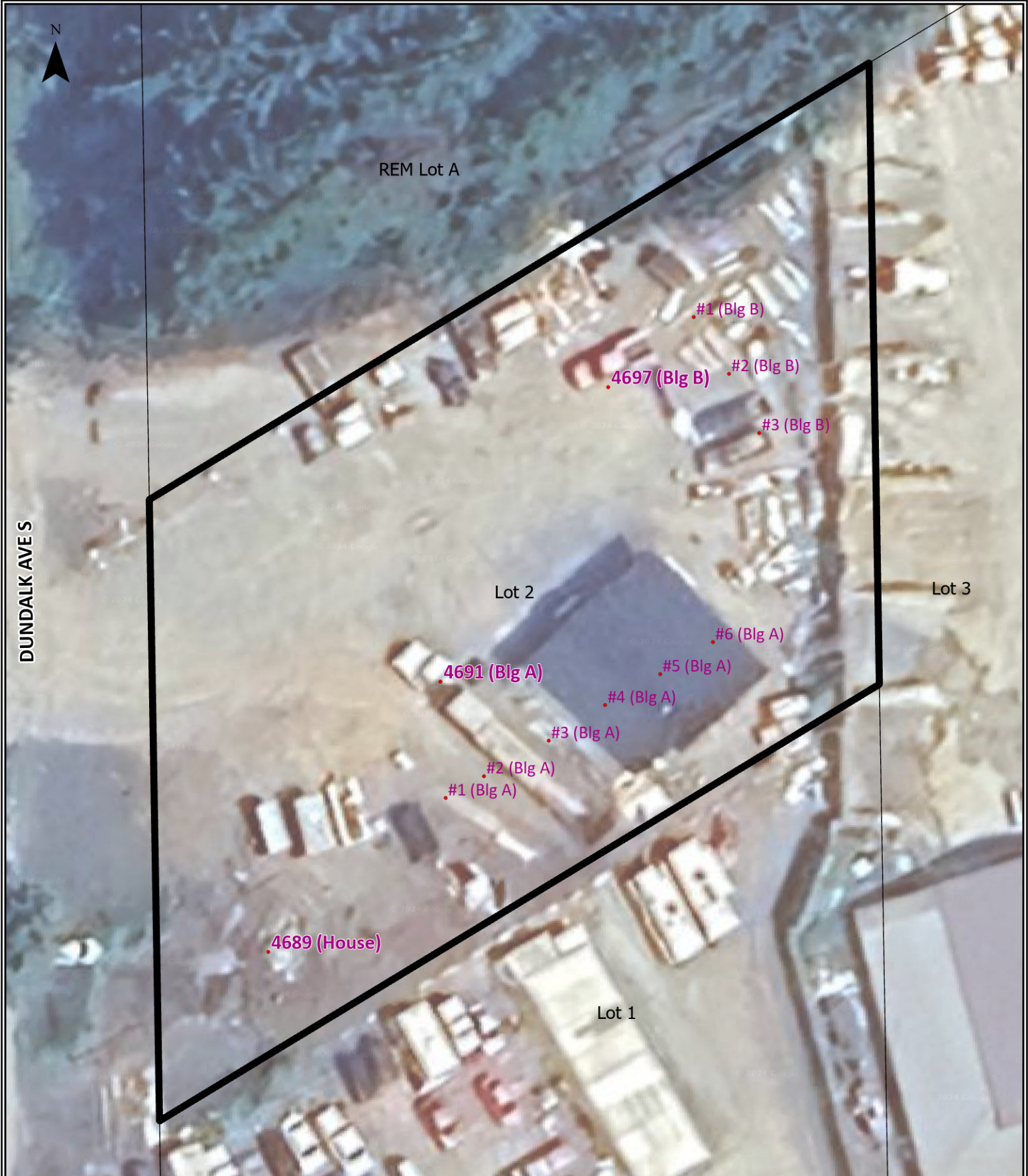
JAMES BRUCE, BCLS #976
THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

THIS PLAN WAS PREPARED FOR ARCHITECTURAL AND SITE
SERVICING PURPOSES AND IS FOR THE EXCLUSIVE USE OF
OUR CLIENT. PACIFIC RIM LAND SURVEYING LTD. ACCEPTS
NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT
MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF
REPRODUCTION, TRANSMISSION OR ALTERATION TO THIS
DOCUMENT WITHOUT CONSENT FROM PACIFIC RIM LAND
SURVEYING LTD.



PACIFIC RIM
LAND SURVEYING LTD.
PHONE: 250-248-7268
EMAIL: JAMES@PACIFICRIMSURVEYING.COM
FILE: 1176 BLC1.DWG
DATE: 2024-03-15

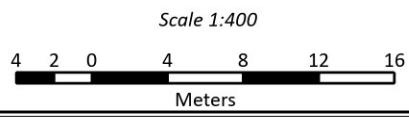







4691 and 4697 Dundalk Ave South
 LOT 2, DISTRICT LOT 136, ALBERNI DISTRICT, PLAN 48046

 Subject Property
 Parcels



Prepared 2024-10-07
 Sources: © OpenStreetMap (and contributors, CC-BY-SA, Airbus DC 2023, LidarBC (DEM, Hillshade) 2019, ParcelMapBC; GeoBC; ACRD

This product is intended for general reference use only and should not be used for navigation or legal purposes. Imagery offsets may exist.

-  AV Stream Atlas
-  Subject Property
-  Park

VIP12631

REM Lot A

VIP18037

**Subject
Property**

Lot A
VIP58656

4697 (Blg B)
4691 (Blg²A)
4689
(House)

Lot 3
VIP48046

VIP1749

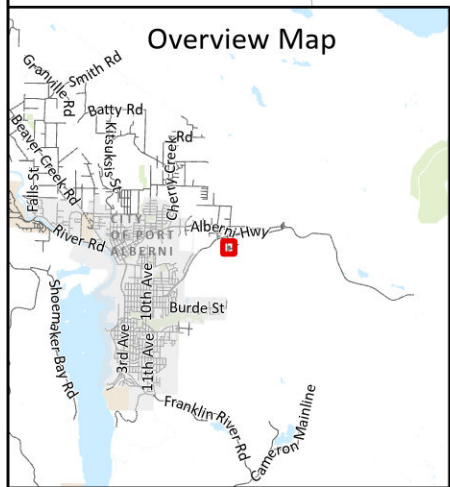
SHERWOOD RD

VIP30312

Lot 1
2571
4685

2522

Lot C



Overview Map

Lot B
VIP51922

4661

4647

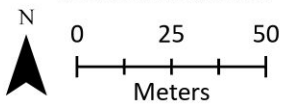
Lot A

Rogers Creek

PA
PART A



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



Civic Address: 4691 and 4697 Dundalk Ave South
Legal Description: LOT 2, DISTRICT LOT 136, ALBERNI DISTRICT, PLAN 48046