



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: Planning Committee
FROM: Terry Crowe
Manager, Policy Planning
RE: **City Comments on Proposed Amendments to the New Westminster Official
Community Plan**

To PLANNING - Nov. 21/00
DATE: November 16, 2000
FILE: 0155-20-NWES1

STAFF RECOMMENDATION

That the City of New Westminster be advised that the City of Richmond has no objections to Official Community Plan Amendment Bylaw No. 6640, 2000, which enables the issuance of Temporary Commercial and Industrial Use Permits in New Westminster.

Handwritten signature of Terry Crowe in cursive.

Terry Crowe
Manager, Policy Planning

Att.

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER
<i>David Hill</i>

STAFF REPORTORIGIN

The City of New Westminster referred a proposed Official Community Plan (OCP) Amendment Bylaw to the City of Richmond for review and comments (see Attachment 1) in accordance with the requirements of the *Local Government Act*. The proposed amendments will enable the City of New Westminster to issue Temporary Commercial and Industrial Use Permits for specified commercial and industrial zones.

ANALYSIS

City Staff reviewed the amendment bylaw to determine whether there are any conflicts with the OCP or impacts on Richmond's interests (e.g. land use, services, environment).

The proposed amendments include several conditions to ensure that any uses considered for Temporary Use Permits are compatible with surrounding uses, the OCP land use designation and the New Westminster Zoning Bylaw. Issuance of the permit allows a business to operate for only up to two years.

The Temporary Use Permits would be granted on an individual basis for properties entirely within New Westminster. Given that the City of New Westminster will impose conditions to manage these uses and that the uses are of a temporary nature, Staff are satisfied that there would be no negative impacts on Richmond's interests.

FINANCIAL IMPACT

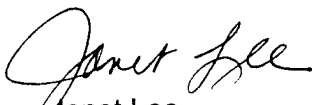
None.

OPTIONS

1. Advise that the City of Richmond has no objections to the proposed amendment bylaw. **(Recommended)**
2. Express objections to the City of New Westminster.

CONCLUSION

1. Staff have determined that there are no negative impacts on the City of Richmond.
2. It is recommended that the City of New Westminster be advised that the City of Richmond has no objections to the proposed Official Community Plan Amendment Bylaw No. 6640, 2000.


Janet Lee
Planner 2



CORPORATION OF THE CITY OF NEW WESTMINSTER

511 ROYAL AVENUE, NEW WESTMINSTER, B.C., V3L 1H9
 PLANNING DEPARTMENT (604) 527-4532

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 FAX NO. (604) 527-4511

**PHOTOCOPIED
 & DISTRIBUTED**

DATE: *Nov 10/00*

November 8, 2000

TO: MAYOR & EACH
 COUNCILLOR

FROM: CITY CLERK

File: 2600-01

TO: URBAN DEV. COM FOR APPROPRIATE
 ACTION.
 KY to JRM

	INIT
JRM	
DW	
KY	<i>KY</i>
AS	
DB	
SF	

Mayor Greg Halsey-Brandt and Members of Council
 City of Richmond
 6911 No. 3 Road
 Richmond, B.C.
 V6Y 2C1

0155-20-NWES1

Dear Mayor and Council:

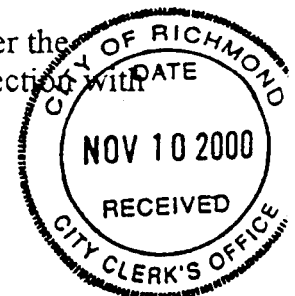
Re: Proposed Amendment to the *New Westminister Official Community Plan*

On November 6, 2000 New Westminister City Council considered Official Community Plan Amendment Bylaw No. 6640, 2000, which, if adopted, would enable the issuance of Temporary Commercial and Industrial Use Permits in New Westminister (pursuant to Section 921 of the Local Government Act). After giving First reading to the bylaw, Council referred it to the City Councils of Coquitlam, Burnaby, Richmond and Delta for comment.

Please find attached a copy of Draft Official Community Plan Amendment Bylaw No. 6640, 2000 for your review and comment. The bylaw would amend the *New Westminister Official Community Plan* (OCP) to enable the issuance of temporary commercial use permits in all areas designated for commercial use in the OCP and temporary industrial use permits in all areas designated for industrial use in the OCP. Several conditions have been included; specifically, the temporary use must:

- i) operate at an intensity of use suitable to the area;
- ii) operate on a temporary basis only;
- iii) demonstrate plans to relocate or apply for a rezoning to allow the land use before the permit expires; and,
- iv) be compatible with other uses in the vicinity, the area's *Official Community Plan* designation and the uses allowed under the *Zoning Bylaw*.

In considering the compatibility of an application, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use.



New Westminster Planning Department

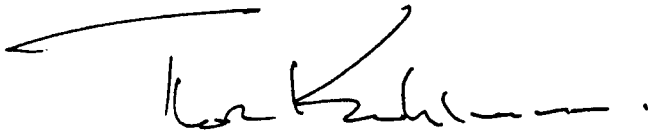
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- 2 -

We would greatly appreciate receiving your comments and suggestions by Thursday, November 30, 2000.

If you would like to discuss this proposed bylaw further, please contact me at 527-4562. Thank you for your assistance.

Yours truly,

A handwritten signature in black ink, appearing to read "Thor Kuhlmann", with a long horizontal stroke extending to the left.

Thor Kuhlmann,
Planner

Att: (1)

cc. Susan Brown, Director of Legislative & Information Services

:MV/TK

REPORT
PLANNING DEPARTMENT

ON-TABLE

To: Mayor Helen Sparkes and Members of Council in Committee of the Whole **Date:** November 2, 2000

From: Mary Pynenburg, Director of Planning **File:** 2600-01

Subject: Temporary Use Permits

RECOMMENDATION

THAT the attached Official Community Plan Amendment Bylaw No. 6640, 2000, -amending the *City of New Westminster Official Community Plan* to enable the issuance of temporary commercial and industrial use permits- be forwarded to Council for consideration for First reading.

THAT the following resolutions be forwarded to Council for consideration for adoption:

- i) THAT Council concurs that (in accordance with Section 882 (3) (a) (i) of the Municipal Act) the Official Community Plan Amendment Bylaw No. 6640, 2000 is consistent with the City's current Capital Expenditure Program (as contained in the "Five Year Financial Plan Bylaw No. 6607, 2000"); and
- ii) THAT Council concurs that (in accordance with Section 882 (3) (a) (ii) of the Municipal Act) the Official Community Plan Amendment Bylaw No. 6640, 2000 is consistent with the Regional Solid Waste Management Plan and the Regional Liquid Waste Management Plan (both of which were adopted by the Greater Vancouver Regional District after liaison with the City).

AND THAT Council refer Official Community Plan Amendment Bylaw No. 6640, 2000 to the City Councils of Coquitlam, Burnaby, Richmond and Delta for comment.

2000 November 03

-2-

AND THAT Official Community Plan Amendment Bylaw No. 6640, 2000 be forwarded to Council for consideration for Second reading.

PURPOSE

The purpose of this report is to provide City Council with options for issuing temporary commercial and industrial use permits.

BACKGROUND

Under the Local Government Act, a city may issue a temporary use permit to a commercial or industrial land use which allows the land use despite the *Zoning Bylaw* regulations. City Council's ability to issue a temporary commercial or industrial use permit relies on the designation of certain areas in the City's *Official Community Plan* in which such permits may be allowed. The City may specify certain conditions which a temporary use must meet in order to receive a permit. Provided that the proposed location for the temporary use is within the designated area and all conditions have been met, Council may, by resolution, issue a temporary commercial or industrial use permit for up to two years. The City may renew a temporary use permit once.

Currently, the *New Westminster Official Community Plan* does not designate areas in which temporary land use permits may be issued.

ANALYSIS

From time to time, the City is approached by a business seeking to establish at a commercially viable location on short notice and for a brief period of time (e.g. in the event that the business has suddenly lost its lease at its original location and is seeking to continue operations while a new location is found). In cases, where the zoning of the new location does not allow the proposed land use, the proponent is required to obtain a rezoning or seek another location. Both options can be time consuming and may act as an impediment to new or continued business investment in the City.

As noted above, the Local Government Act enables municipalities to issue temporary land use permits in cases where the *Zoning Bylaw* does not permit a commercial or industrial use. Although the use is permitted for a short period of time, the City's ability to issue temporary use permits may increase its flexibility in attracting or retaining viable

businesses which, for reasons that may be beyond their control, require a new location quickly and temporarily.

To this end, staff have prepared a draft amendment to the *New Westminster Official Community Plan* (OCP) that would enable the issuance of temporary commercial use permits in all areas designated for commercial use in the OCP and temporary industrial use permits in all areas designated for industrial use in the OCP (attachment 1). Several conditions have been included to ensure that applicants are aware of the City's expectations with respect to the issuance of such permits. These conditions specify that the proposed use:

- i) will operate at an intensity of use suitable to the area;
- ii) will operate on a temporary basis only;
- iii) has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and,
- iv) is compatible with other uses in the vicinity, the area's *Official Community Plan* designation and the uses allowed under the *Zoning Bylaw*.

In considering the compatibility of an application, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use.

The proposed amendments have been reviewed by the Director of Finance for consistency with the Five Year Financial Plan and by the Acting Director of Engineering for consistency with the Regional Solid Waste Management Plan and the Regional Liquid Waste Management Plan (both of which were adopted by the Greater Vancouver Regional District after liaison with the City). Their memos of concurrence on these matters are attached (attachments 2 and 3).

FINANCIAL IMPLICATIONS

The recommended option would pose no additional costs to the City other than staff resources required to bring an *Official Community Plan* amending bylaw forward.

2000 November 03

-4-

INTERDEPARTMENTAL LIAISON

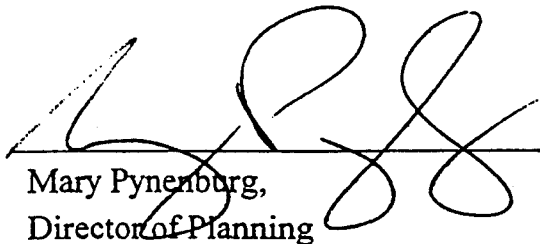
Staff from Strategic Services and Planning as well as the City Solicitor have collaborated on this report.

Report Author

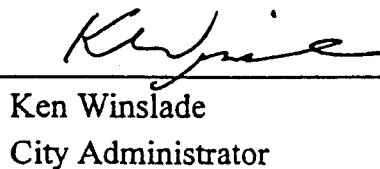


Thor Kuhlmann, Planner

Approved for Presentation
to Council



Mary Pynenburg,
Director of Planning



Ken Winslade
City Administrator

Attachments (3)

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 6640, 2000

A Bylaw to amend an Official Community Plan
for the City of New Westminster

WHEREAS the Local Government Act R.S.B.C. 1996, c. 323 empowers Council to adopt by bylaw an Official Community Plan.

AND WHEREAS the Local Government Act R.S.B.C. 1996, c. 323 requires that a Community Plan be adopted and designated as official by bylaw.

AND WHEREAS Council on 1998 June 15 adopted the Official Community Plan.

AND WHEREAS the Local Government Act R.S.B.C. 1996, c. 323 empowers Council to amend an Official Community Plan by bylaw.

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Official Community Plan Amendment Bylaw No. 6640, 2000".

2. The Official Community Plan of the City of New Westminster attached as Schedule A to Official Community Plan Designation Bylaw No. 6476, 1998, is hereby amended as follows:

- a) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (CMD) Commercial Marine District the following: "The City will consider issuing temporary commercial land use permits in this area provided that the commercial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."
- b) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (CWD) Commercial Waterfront

District the following: "The City will consider issuing temporary commercial land use permits in this area provided that the commercial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."

- c) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (CCG) Community Commercial Gateway the following: "The City will consider issuing temporary commercial land use permits in this area provided that the commercial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."
- d) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (CM) Commercial Main Street the following: "The City will consider issuing temporary commercial land use permits in this area provided that the commercial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."
- e) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (WDI) Waterfront Dependent Industry the following: "The City will consider issuing temporary industrial land use permits in this area provided that the industrial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible

with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."

- f) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (BP) Business Park the following: "The City will consider issuing temporary commercial or industrial land use permits in this area provided that the commercial or industrial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."

- g) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (CD) Comprehensive Development the following: "The City will consider issuing temporary commercial or industrial land use permits in this area provided that the commercial or industrial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan* designation, and uses allowed under the *Zoning Bylaw*. In considering the compatibility of such applications, the City may also consider the design, servicing, access, screening and landscaping to be provided in connection with the temporary use."

- h) Section 3.1 Existing and Proposed Land Uses is hereby amended by appending to the land use concept for (CH) Commercial Historic Area the following: "The City will consider issuing temporary commercial land use permits in this area provided that the commercial land use: will operate at an intensity of use suitable to the area; will operate on a temporary basis only; has demonstrated plans to relocate or apply for a rezoning to allow the land use before the permit expires; and, is compatible with other uses in the vicinity, uses allowed under the area's *Official Community Plan*

to ensure consistency between them this _____ day of _____ 2000.

REFERRED TO

- (i) the municipal Councils of Coquitlam, Burnaby, Richmond and Delta;
- (ii) the Board of the Greater Vancouver Regional District;

for comment this _____ day of _____ 2000.

GIVEN SECOND READING by an affirmative vote of a majority of all members of Council this _____ day of _____ 2000.

PUBLIC HEARING held this _____ day of _____ 2000.

GIVEN THIRD READING by an affirmative vote of a majority of all members of Council this _____ day of _____ 2000.

ADOPTED by an affirmative vote of a majority of all members of Council this day of _____ 2000.

MAYOR

CITY CLERK

City of New Westminster

MEMORANDUM

FINANCE DEPARTMENT

To: Thor Kuhlmann,
Planner


Date: 2000 November 02

From: Gary Holowatiuk,
Acting Director of Finance

File: 2600-01

Subject: Proposed Amendment to the *Official Community Plan*

I have reviewed the proposed amendment to the *New Westminster Official Community Plan* with respect to temporary commercial and industrial use permits, and have found that this amendment is consistent with the City's current Capital Expenditure Program (as contained in the Five Year Financial Plan, Bylaw No. 6607, 2000).


Gary Holowatiuk,
Director of Finance

cc. Mary Pynenburg,
Director of Planning

:TK

City of New Westminster

MEMORANDUM

ENGINEERING DEPARTMENT

To: Thor Kuhlmann,
Planner

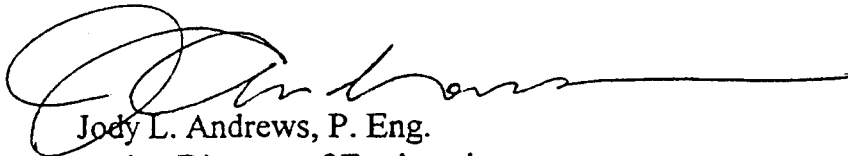
Date: 2000 November 03

From: Jody Andrews,
Acting Director of Engineering

File: 2600-01

Subject: Proposed Amendment to the *Official Community Plan*

I have reviewed the proposed amendment to the *New Westminster Official Community Plan* with respect to temporary commercial and industrial use permits, and have found that this amendment is not inconsistent with the *Regional Solid Waste Management Plan* and the *Regional Liquid Waste Management Plan*.



Jody L. Andrews, P. Eng.
Acting Director of Engineering

cc. Mary Pynenburg,
Director of Planning

:TK