



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 1, 2024
MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 4, 2024
FROM: Development Services Division
Land Use Services Department
SUBJECT: Temporary Use Permits

PURPOSE/INTRODUCTION

The purpose of this report is to provide an update on temporary use permit (TUP) policy development, and to introduce preliminary draft temporary use permit guidelines for discussion.

The Board has previously directed that staff send draft TUP guidelines to agencies and Advisory Planning Commissions (APCs).

RECOMMENDED RESOLUTION

For information.

BACKGROUND

At the [Jan 17, 2024 EASC meeting](#) the CVRD Board received a staff report detailing the current policy framework for temporary use permits. These policies are inconsistent across each electoral area. At the Jan 17, 2024 meeting staff provided examples of TUPs from other B.C. Communities including short-term RV accommodation, supportive housing (temporary modular structures), short term rentals, campgrounds, temporary commercial and industrial uses, construction offices, real estate sales centers, worker camp use, festivals, and markets.

The CVRD Board gave direction to staff to:

1. Prepare amendments to the Official Community Plan for the Electoral Areas Bylaw No. 4270, 2021, to enable Temporary Use Permits across all Electoral Areas.
2. Draft Temporary Use Permit guidelines, including guidelines for temporary housing, for consideration of the Electoral Area Services Committee and inclusion in the Comprehensive Zoning Bylaw.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

Official Community Plan for the Electoral Areas Bylaw No. 4270, 2021

- Settlement Nodes Policy 4.11.1.4 states that the CVRD Board “Supports temporary use permit areas in circumstances where a proposed commercial or industrial land use may be necessary or desirable but does not fit within the current OCP designation.”
- Section 4.14 of the OCP clarifies that the designation of land for temporary use for the electoral areas will be considered in the MOCP and Policy 4.14.1.1 states that the Board would consider holding a public meeting prior to deciding to issue a TUP.

Schedule L (Land Use Designation Maps) identifies lands designated for TUPs for Electoral Areas A – H, most typically for commercial, industrial and agricultural uses. TUP designations applicable to Electoral Area I are designated within Zoning Bylaw No. 2465.

The Local Area Plans currently establish the general conditions for considering TUPs. A table is attached (Attachment A) to illustrate the differences for each Electoral Area.

Development Applications Procedures Bylaw No. 4483, 2023

The Development Applications Procedures Bylaw requires that notice be mailed to property owners and occupants within 100 m of a TUP application, prior to Board consideration of a resolution to issue a TUP, and that a public notice sign be posted on the subject property.

Modernized Official Community Plan (DRAFT)

Recent drafts of the Modernized Official Community Plan continued to use Schedule L (Land Use Designation Maps) to identify and designate lands designated for TUPs. It is proposed that the designation as well as guidelines be implemented in Bylaw 4485 instead. The draft OCP Schedule A includes a policy to consider holding a public meeting on a case-by-case basis prior to TUP issuance.

Modernized Local Area Plans (IN-PROCESS)

The Local Area Plans (LAPs) are being updated/developed over the course of 2023–2025.

LAPs provide greater clarity on growth management within specific areas of a community. These plans build on the OCP vision, goals and policies, while focusing on housing, transportation, and infrastructure, as well as built and natural amenities.

The LAP process may provide more specificity around the types of uses that may be permitted with TUPs.

PLANNING ANALYSIS

At the Jan 17, 2024 meeting, CVRD Staff explained that a TUP is intended to allow for a specific activity and regulate associated construction of buildings and structures for a limited time only. A local government can choose to establish broad policies to allow the elected board to consider a wide-range of temporary use proposals, or it may intentionally limit the types of permits it will consider and/or conditions that it will attach to TUPs. The CVRD has limited the types of permits it will consider.

The Board was supportive of having staff provide a report to the EASC regarding potential amendments to the OCP and LAPs to establish consistent TUP policies across all Electoral Areas. The proposed approach is update policy language in the forthcoming modernized OCP for the Electoral Areas, and introduce complementary TUP designations and guidelines as an amendment to Bylaw No. 4485 - Zoning Bylaw for the Electoral Areas (Development Permit Exemptions and Guidelines), 2023. This will provide flexibility and ability to consider and issue TUPs for additional uses than currently permitted.

Draft TUP guidelines have been provided (Attachment B) for discussion and referral purposes. Further refinement to the draft TUP guidelines may occur following feedback from external referral

agencies and Advisory Planning Commissions (APCs). The proposed guidelines would provide consistent TUP policy across the region.

In addition to the Draft TUP guidelines, complementary amendments to the Development Procedures Bylaw (Attachment C) and Development information Bylaw (Attachment D) have been included to support the Draft TUP guidelines.

OPTIONS

Option 1 (Advance the project): The report is provided “for information” as the Board has previously directed that TUP guidelines be referred to agencies and APCs.

Option 2 (Request Additional Information): That it be recommended to the Board that the report be referred back to staff for the following information [*requested information to be provided by the Board*], prior to referral or bylaw amendments.

GENERAL MANAGER COMMENTS

Prepared by:



Richard Buchan, B.A, M.A.
Planner III

Reviewed by:

N/A
N/A



Michelle Pressman, RPP, MCIP, MPlan
A/General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

ATTACHMENTS:

- Attachment A – Current TUP Policy Framework
- Attachment B – Preliminary (Draft) Updated TUP Policy Framework
- Attachment C – Potential Amendments to Procedures Bylaw No. 4483
- Attachment B – Potential Amendments to DIA Bylaw No. 4545