

REPORT

Planning and Development

To: Mayor Johnstone and Members of Council
Date: December 16, 2024

From: Jackie Teed,
Director, Planning and Development
File: #2604547
OCP00044
REZ00253

Item #: 2024-712

Subject: **Official Community Plan Amendment and Rezoning: 1084 Tanaka Court – Bylaws for First and Second Readings**

RECOMMENDATIONS

1. **THAT** Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024 be considered for First Reading.
 2. **THAT** Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024 be considered in conjunction with the City's Capital Expenditure Program as contained in the Five Year Financial Plan and the Region's Solid Waste Management Plan and Liquid Waste Management Plan, and which is deemed to be consistent with said program and plans in accordance with Section 477(3)(a) of the *Local Government Act*.
 3. **THAT** Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024 be considered for Second Reading, and forwarded to a Public Hearing.
 4. **THAT** Zoning Bylaw No. 6680, 2001, Amendment Bylaw (1084 Tanaka Court) No. 8484, 2024 be considered for First and Second Readings, and forwarded to a Public Hearing.
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PURPOSE

To request that Council consider the Official Community Plan and Zoning Amendment Bylaws to revert the site at 1084 Tanaka Court back to industrial zoning to facilitate light industrial and mixed employment uses.

EXECUTIVE SUMMARY

Official Community Plan (OCP) Amendment and Rezoning applications have been received for 1084 Tanaka Court to revert the subject site back to an industrial zoning district. The applicant proposes to rezone the property from Comprehensive Development District (1084 Tanaka Court) (CD-82) to Light Industrial Districts (M-1). To support this rezoning, the OCP needs to be amended to change the land use designation from Queensborough Commercial to Queensborough Mixed Employment, and the Development Permit Area (DPA) changed to Queensborough Industrial and Mixed Employment to be consistent with the permitted land use. The applicant has made these applications so that the site can be sold to and developed by an industrial developer. No form of development is proposed at this time; a Development Permit would be required to be submitted separately at a later date.

The proposed applications for the site are considered reasonable as they would:

- align with regional and City policy to intensify and expand industrial land supply;
- be consistent with the findings and direction in the City’s Retail Strategy;
- be consistent with surrounding OCP designations and zoning; and
- be compatible with adjacent uses.

City-led consultation was conducted for the proposed project and the applicant has responded to feedback. At their August 26, 2024 meeting, Council endorsed referring the OCP amendment to local First Nations and the Ministry of Transportation and Infrastructure (MOTI) which has been completed. The applicant also presented the proposed development to the Advisory Planning Commission (APC) on November 19, 2024. The APC provided a motion of support for this application.

BACKGROUND

Previous Applications

In 2018, the property was rezoned from M-2 (Heavy Industrial Districts), to Comprehensive Development District (1084 Tanaka Court) (CD-82) to facilitate the development of a three-storey commercial building with retail at grade, public assembly on the second level (banquet hall) and office use on the third level plus an attached four storey-parking structure.

Policy and Regulations

The OCP land use designation for the subject property is Queensborough Commercial (QC) and the zoning is CD-82. The land use designation and zoning both do not permit industrial uses and as such, applications for OCP and zoning amendment are required to allow industrial development. As part of the OCP amendment the OCP Development Permit Area would also be updated to refer to industrial and mixed employment design guidelines. Additional background information on policy and regulations is included in Attachment 3.

Site Characteristics and Context

The vacant subject site is approximately 4,790 sq.m (51,559.1 sq. ft.) and is located north of Boyd Street and west of the Queensborough Bridge in the Queensborough neighbourhood. A rail line runs along the southeast side of the site. The site is surrounded by commercial and industrial uses. Additional information on site characteristics and context is included in Attachment 3.

PROJECT DESCRIPTION

In 2018, Council approved rezoning the property to Comprehensive Development District (1084 Tanaka Court) (CD-82). At that time, the applicant had the intention of developing a banquet hall with retail and office uses. The applicant has indicated that the banquet hall proposal is no longer considered viable, significantly influenced by the COVID pandemic, and as such has submitted a proposal to amend the zoning and land use designation of the site to allow industrial with the purpose of selling to an industrial user. The proposal is to rezone the site to Light Industrial Districts (M-1) and amend the OCP land use designation from Queensborough Commercial (QC) to Queensborough Mixed Employment (QME). Although no form of development is proposed at this time, the applicant has indicated that they have received interest from potential purchasers that require the property to be zoned Light Industrial Districts (M-1) as part of their buying conditions.

As part of the OCP amendment, the Development Permit Area (DPA) would be amended from Queensborough Commercial to Queensborough Industrial and Mixed Employment to be consistent with the permitted land use. A Development Permit (DP) has not been submitted at this time as no form of development is proposed. A DP application would be submitted separately at a later date once the site has been sold and a new owner is ready to develop.

DISCUSSION

Overall Evaluation

As further discussed in the sections below, staff considers support of the proposed applications reasonable as they would:

- align with regional and City policy to intensify and expand industrial land supply;
- be consistent with the findings and direction in the City’s Retail Strategy;
- be consistent with surrounding OCP designations and zoning; and
- be compatible with adjacent uses.

Industrial and Mixed Employment Land Demand

The region is facing shortages of industrial and employment lands which play a crucial role in supporting the local and regional economy. This application would provide additional industrial and employment zoned lands which include multiple options for use

of the site in the future and would be consistent with the intent of regional and City policies supporting the preservation and intensification of industrial lands. These policies include the Metro Vancouver Regional Industrial Lands Strategy (2020) (MVRILS) and the City' Economic Development Plan (2018) and the Industrial Land Strategy (2008).

In the last ten years, as acknowledged in the City's Retail Strategy, there has been an acceleration in the growth of online and e-commerce based services. There is an on-going shift in traditional brick and mortar locations to more experiential based retail. Given this shift, the Retail Strategy has sought to focus retail energy in key mixed-use nodes rather than have it stretched out and diluted. Further, the Retail Strategy notes that commercial vacancy rates in Queensborough were the highest in the city (12%) compared to other neighbourhoods (between 3% and 12%). As such, the OCP Amendment and rezoning applications that propose to remove commercial as the permitted use on site in support of industrial are seen as appropriate.

Further information on these policies, industrial and mixed employment land demand is provided in Attachment 4.

Zoning and Compatibility with Adjacent Uses

The proposed Light Industrial Zoning District (M-1) zoning on the site would be consistent with the general approach of siting industrial and employment land uses as it would allow for a transition between more intensive industrial uses along the Queensborough waterfront to the north to less intensive light industrial and mixed employment on the northside of Tanaka Court to residential uses to the south of Highway 91A and Boyd Street. The proposed Queensborough Mixed Employment land use designation and Light Industrial (M-1) zoning would also be compatible with adjacent M-1 properties and the property directly to the west, which is zoned Heavy Industrial (M-2) and is currently being used as a storage yard.

Official Community Plan Land Use Designation

Initially, the current (QC) Queensborough Commercial Official Community Plan land use designation for this site was thought to be appropriate to support the Starlight Casino located to the west. However, since the completion of the Queensborough Community Plan in 2014, there have been changes to the retail landscape and, as noted above, to the demand for both retail and industrial and employment lands.

The (QME) Queensborough Mixed Employment designation is considered the right fit for this site as it provides more flexibility in allowing for a mix of light industrial and employment uses permitted in the M-1 zone including: light manufacturing, trade schools, self-storage, truck and industrial equipment repair, sales, rental, and storage, retail building supply establishments, trade contractor offices and workshops, scientific laboratories, and taxi offices. This designation would shift away from requiring retail or office only and be supportive of regional and municipal industrial and employment policies allowing light industrial, service and office commercial uses.

Trees

There are currently no trees on site; 18 trees were previously removed in order to preload the site. Given that this application was initiated during the earlier stages of the implementation of the City’s Tree Bylaw, a no build covenant was used as a tool to address the removal of trees on the site and address any required securities for tree planting. This covenant was registered after the engineering fill permit was issued for the site in 2017. The no build covenant (which is currently registered on title) secures tree deposits and replacements prior to any construction on the site.

PUBLIC CONSULTATION

Local Government Act Consultation

The Local Government Act (*LGA*) requires local governments to provide one or more opportunities it considers appropriate for consultation with the organizations and authorities it considers will be affected by a proposed OCP amendment. At their August 26, 2024 meeting, Council endorsed consultation with local First Nations and the Ministry of Transportation and Infrastructure (MOTI) which has been completed. MOTI has provided preliminary support for this project; given proximity to the highway interchange, the bylaws would be forwarded to MOTI for approval prior to Council consideration of adoption.

In regards to feedback from local First Nations, feedback was provided that: the applicant should complete and share an archeological assessment; that sustainable and climate resilient standards be used in site development; that offsetting impervious area be considered in future developments, that a cumulative impacts assessment be considered and that employment / business opportunities be provided to nation members during the construction of the development. The applicant has agreed to complete an archeological assessment of the site and share that with the First Nations who have expressed interest. The applicant has also agreed to forward comments from First Nations regarding sustainability consideration and employment / business opportunities. The City’s design guidelines and regulations include sustainability considerations and integration of trees and soft landscaping which would apply to future development. Further detail on First Nations consultation is included in Attachment 6.

Public Consultation

As outlined in the applicant’s Project Summary Letter (Attachment 5), the applicant presented the proposal to the Queensborough Residents Association on September 10, 2024. There were 20 participants at the meeting and no questions were raised.

City-led consultation included a project website and online survey, published on *Be Heard New West* and open between October 11 and October 28. Residents within 100 metres of the project were notified of the survey, and an invitation to participate was posted in one issue of the *New West Record*. One survey response was received which was focused on conservation of native habitat in the area where possible. The City-led Consultation summary report and applicant response can be found in Attachment 7.

Committee Consultation

The applicant also presented the proposed development to the Advisory Planning Commission (APC) on November 19, 2024. The APC provided a motion of support for this application.

REVIEW PROCESS

The application has been progressing through the City’s development application review process. The following steps have been completed:

1. Preliminary report to Council and Council consideration of Official Community Plan (OCP) amendment consultation requirements (August 26, 2024);
2. Project information provided to external stakeholders;
3. City-led Consultation (October 11 to 28, 2024)
4. Presentation to the Advisory Planning Commission (April 16, 2024);
5. Council consideration of First and Second Readings of the OCP amendment and zoning amendment bylaws **(WE ARE HERE)**;

The next steps for this application are as follows:

6. Public Hearing and Council consideration of Third Reading of the proposed bylaws;
7. Applicant completion of adoption requirements;
8. Council consideration of adoption of the proposed bylaws;

As noted above, a separate Development Permit Application would need to be submitted to facilitate a future development once the site is sold to the new owner. The Development Permit would be forwarded to the Director of Planning and Development for consideration of issuance.

FINAL ADOPTION REQUIREMENTS

The following items will need to be addressed to the satisfaction of staff prior to adoption of Zoning Bylaw No. 6680, 2001, Amendment Bylaw (1084 Tanaka Court) No. 8484, 2024:

- Registration of a legal agreement to secure future off-site works and services.
- Submission of an Archaeological Overview Assessment.
- Approval from the Ministry of Transportation and Infrastructure, as the site falls within 800 metres of a controlled access highway.

FINANCIAL CONSIDERATIONS

The project would support New Westminster’s local economy by adding to the supply of industrial and mixed employment lands. Based on 2024 BC Assessment data, property was assessed (Land only) as Class 6 Business and Other, valued at \$7.05M.

INTERDEPARTMENTAL LIAISON

The City has a team-based approach for reviewing development applications. The project has been reviewed by staff from Planning and Development, Engineering Services, Parks and Recreation, and the Economic Development Office. The Engineering Memo outlining works and services requirements for future development of the site is included in Attachment 8.

In accordance with Section 477(3)(a) of the Local Government Act, the OCP Amendment Bylaw was reviewed in conjunction with the City’s Capital Expenditure Program as contained in the Five Year Financial Plan and the Region’s Solid Waste Management Plan and Liquid Waste Management Plan. Accordingly, memos from the Chief Financial Officer / Director of Finance and Director of Engineering Services to the City’s Corporate Officer are included in Attachment 9.

OPTIONS

The following options are available for Council’s consideration:

1. That Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024 be considered for First Reading.
2. That Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024 be considered in conjunction with the City’s Capital Expenditure Program as contained in the Five Year Financial Plan and the Region’s Solid Waste Management Plan and Liquid Waste Management Plan, and which is deemed to be consistent with said program and plans in accordance with Section 477(3)(a) of the Local Government Act.
3. That Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024 be considered for Second Reading, and forwarded to a Public Hearing.
4. That Zoning Bylaw No. 6680, 2001, Amendment Bylaw (1084 Tanaka Court) No. 8484, 2024 be considered for First and Second Readings, and forwarded to a Public Hearing.
5. That Council provide staff with alternative direction.

Staff recommend Options 1 to 4.

ATTACHMENTS

Attachment 1: Official Community Plan Bylaw No. 7925, 2017, Amendment Bylaw (1084 Tanaka Court) No. 8483, 2024

Attachment 2: Zoning Bylaw No. 6680, 2001, Amendment Bylaw (1084 Tanaka Court) No. 8484, 2024

Attachment 3: Background Information

Attachment 4: Additional Discussion

Attachment 5: Applicant's Project Summary and Land Use Rationale

Attachment 6: Summary of Feedback from First Nations

Attachment 7: City-Led Consultation Summary and Applicant Response

Attachment 8: Engineering Services Memo

Attachment 9: Memos from Directors of Finance & Engineering

APPROVALS

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