

REPORT

Planning and Development

To: Mayor Johnstone and Members of Council
Date: August 26, 2024

From: Rupinder Basi, Acting Director,
Planning and Development
File: OCP00044
REZ00253
EDMS #2485144

Item #: 2024-483

**Subject: Official Community Plan Amendment and Rezoning Application for
1084 Tanaka Court: Preliminary Report**

RECOMMENDATION

1. **THAT** Council direct staff to review the application as outlined in the “Application Review Process” section of this report.
2. **THAT** Council direct staff give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the *Local Government Act*,
3. **THAT** Council direct staff to advise, consult, and seek input by written comments with:
 - a. the Ministry of Transportation and Infrastructure,
 - b. School District 40, and
 - c. the following First Nations:
 - i. Cowichan Tribes;
 - ii. Halalt First Nation;
 - iii. Katzie First Nation;
 - iv. Kwantlen First Nation;
 - v. Kwikwetlem First Nation;
 - vi. Lyackson First Nation;
 - vii. Lake Cowichan First Nation (Ts’uubaa-asatx First Nation);
 - viii. Musqueam Nation;

- ix. Penelakut Tribe;
- x. Qayqayt First Nation;
- xi. Seabird Island Band;
- xii. Semiahmoo First Nation;
- xiii. Shxw'ōwhámél First Nation;
- xiv. Skawahlook First Nation;
- xv. Soowahlie First Nation;
- xvi. Squamish Nation;
- xvii. Sto:lo Nation;
- xviii. Sto:lo Tribal Council;
- xix. Stz'uminus First Nation;
- xx. Tsawwassen First Nation; and
- xxi. Tsleil-Waututh Nation.

4. **THAT** Council not require staff to consult with:
- a. the Board of the regional district in which the area covered by a plan is located (Metro Vancouver);
 - b. any greater boards or improvement districts;
 - c. the Greater Vancouver Sewerage and Drainage District Board; and
 - d. the Councils of immediately adjacent municipalities;
- as none are considered to be affected by this application.

PURPOSE

To seek Council’s approval to process the proposed Official Community Plan (OCP) Amendment and Rezoning applications for 1084 Tanaka Court as outlined within this report.

EXECUTIVE SUMMARY

OCP Amendment and Rezoning applications have been received for 1084 Tanaka Court. The applications propose to amend the land use designation from Queensborough Commercial to Queensborough Mixed Employment, update the OCP Development Permit Area (DPA) to Queensborough Industrial and Mixed Employment to be consistent with the permitted land use, and rezone the property from Comprehensive Development District (1084 Tanaka Court) (CD-82) to Light Industrial Districts (M-1). The applicant’s proposal is to amend the land use designation and zoning to industrial uses so 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 submitted separately at a later date.

BACKGROUND

Previous Applications

In 2018, the property was rezoned from M-2 (Heavy Industrial Districts), to Comprehensive Development District (1084 Tanaka Court) (CD-82). The rezoning was 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 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 but updated to refer to industrial and mixed employment design guidelines. A summary of these and other related City policies and regulations is included in Attachment 1.

Site Characteristics and Context

The subject site is currently vacant. It is approximately 4,790 sq. m. (51,559.1 sq. ft.), located north of Boyd Street and west of the Queensborough Bridge. A rail line runs along the southeast side of the site.

The site is surrounded by commercial and industrial uses. Immediately to the west is 315 Gifford Street, which is zoned M-2 (Heavy Industrial Districts) and designated Queensborough Commercial. Further to the west is Starlight Casino, zoned C-CD-1 (Queensborough Destination Casino Comprehensive Development Districts) and designated Commercial Entertainment. Immediately to the north is the old Lowes Hardware site, which is zoned M-1 (Light Industrial Districts) and designated Queensborough Mixed Employment. Further to the north and northwest are sites zoned M-2 and designated Industrial. To the south, across Boyd Street and Highway 91A, are residential (mix of single-detached and multiple unit dwellings) and commercial uses. A site context map is provided in Figure 1 below. Additional site context maps are provided in Attachment 1.

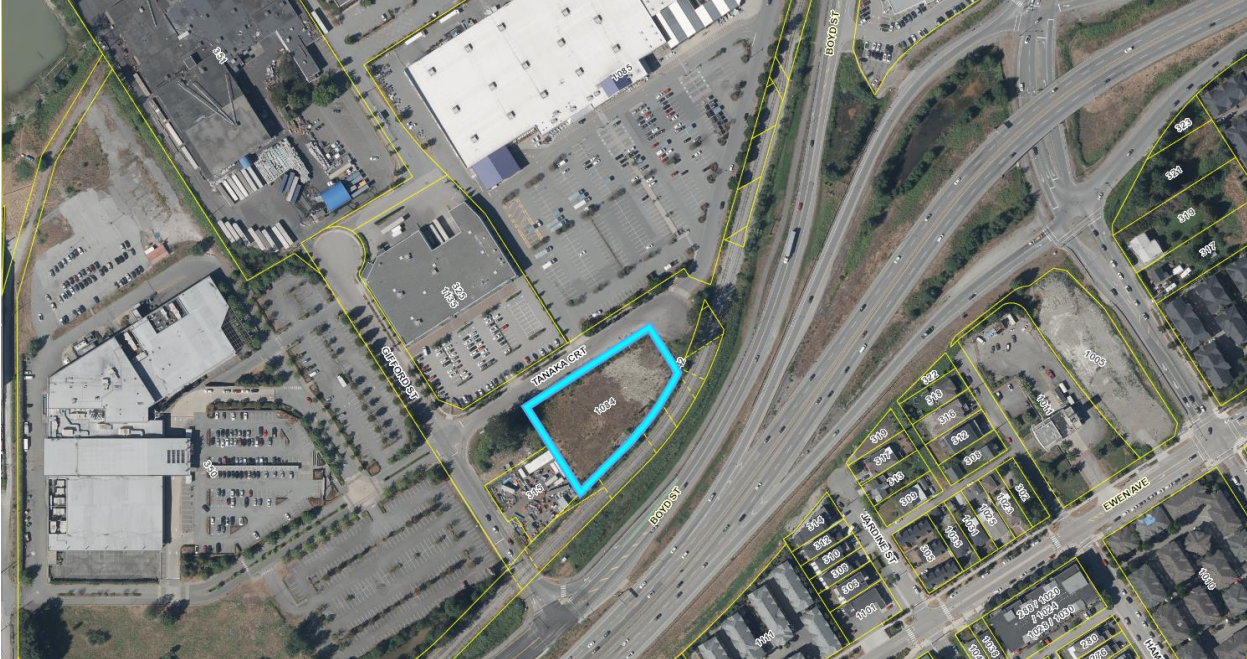


Figure 1 - Site Context Map with 1084 Tanaka Court outlined in blue.

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 has not been commercially viable, and as such has submitted a proposal to amend the site’s zoning and land use designation 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 for a number of industrial uses including self-storage or a trade school.

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

Given the regional industrial land shortage, as documented by Metro Vancouver’s Regional Industrial Lands Strategy, further consideration of a proposal to convert lands back to industrial use in an appropriate location is warranted. The proposal could add to the supply of industrial lands in New Westminster, and the location of the subject site,

with access to highways and adjacent to other industrial properties, is considered appropriate for further consideration of industrial land uses.

As part of the development application review process, staff would continue to work with the applicant to bring the proposal into alignment with key City and regional policies and regulations.

APPLICATION REVIEW PROCESS AND NEXT STEPS

Below is an overall outline of the development review process for this project:

- 1. Preliminary report to Council (WE ARE HERE);
- 2. Consultation with First Nations, outside agencies and organizations impacted by the Official Community Plan amendment as required by Sections 475 and 476 of the Local Government Act;
- 3. City-led public consultation, including dissemination of information to the local Residents Association;
- 4. Review by the Advisory Planning Commission;
- 5. Council consideration of First and Second Readings of the Bylaws;
- 6. A Public Hearing (for OCP Amendment), followed by Council’s consideration of Third Reading of the Bylaws;
- 7. Council consideration of adoption of the Bylaws.

INTERDEPARTMENTAL LIAISON

The City has a project-based team approach for reviewing development applications, which facilitates interdepartmental review, providing comments to the applicant throughout the development review process. This project-based team includes staff from Planning and Development, Engineering, Economic Development, and Parks and Recreation Departments.

FINANCIAL IMPLICATIONS

Financial considerations will be evaluated as part of the application review process and any relevant details will be included in the First and Second Reading Report to Council.

OPTIONS

The following options are offered for Council’s consideration:

- 1. **THAT** Council direct staff to review the application as outlined in the “Application Review Process” section of this report.

- 2. **THAT** Council direct staff give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the *Local Government Act*;

- 3. **THAT** Council direct staff to advise, consult, and seek input by written comments with:
 - d. the Ministry of Transportation and Infrastructure,
 - e. School District 40, and
 - f. the following First Nations:
 - xxii. Cowichan Tribes;
 - xxiii. Halalt First Nation;
 - xxiv. Katzie First Nation;
 - xxv. Kwantlen First Nation;
 - xxvi. Kwikwetlem First Nation;
 - xxvii. Lyackson First Nation;
 - xxviii. Lake Cowichan First Nation (Ts'uubaa-asatx First Nation);
 - xxix. Musqueam Nation;
 - xxx. Penelakut Tribe;
 - xxxi. Qayqayt First Nation;
 - xxxii. Seabird Island Band;
 - xxxiii. Semiahmoo First Nation;
 - xxxiv. Shxw'ōwhámél First Nation;
 - xxxv. Skawahlook First Nation;
 - xxxvi. Soowahlie First Nation;
 - xxxvii. Squamish Nation;
 - xxxviii. Sto:lo Nation;
 - xxxix. Sto:lo Tribal Council;
 - xl. Stz'uminus First Nation;
 - xli. Tsawwassen First Nation; and
 - xlii. Tsleil-Waututh Nation.

- 4. **THAT** Council not require staff to consult with:
 - a. the Board of the regional district in which the area covered by a plan is located (Metro Vancouver);
 - b. any greater boards or improvement districts;

- c. the Greater Vancouver Sewerage and Drainage District Board; and
 - d. the Councils of immediately adjacent municipalities;
- as none are considered to be affected by this application.

5. That Council provide staff with alternative direction.

Staff recommend Options 1, 2, 3 and 4.

ATTACHMENTS

- Attachment 1 – Background Information
- Attachment 2 – Project Summary Letter
- Attachment 3 – Official Community Plan Amendment Consideration of Public Consultation

APPROVALS

This report was prepared by:
Hanna Jarrett, Development Planner

This report was reviewed by:
Mike Watson, Acting Manager of Development Planning

This report was approved by:
Rupinder Basi, Acting Director, Planning and Development
Lisa LeBlanc, Acting Chief Administrative Officer

Attachment #1
Background Information

Policy and Regulations Summary

Official Community Plan

Land Use Designation

The subject site is designated (QC) Queensborough Commercial in the Queensborough Community Plan (QCP), Schedule D to the Official Community Plan (OCP). The land use designation is described, in part, as follows:

Purpose: To allow retail, service and office commercial uses at ground level and may include commercial or office above the ground level.

Principal Forms and Uses: Retail, service and office commercial uses.

The application proposes to amend the QCP land use designation to (QME) Queensborough Mixed Employment, which is described, in part, as follows:

Purpose: To allow a variety of office, light industrial and service commercial uses with a focus on employment generation.

Principal Forms and Uses: Light industrial, service and office commercial uses.

Development Permit Area

The subject site is located within the QA2 Queensborough Commercial Development Permit Area (DPA), which aligns with the current land use designation, but is not consistent with the proposed land use. Through the OCP amendment application, the DPA for the site would be amended to QC1 Queensborough Industrial and Mixed Employment. Future Development Permit applications will be subject to the design guidelines within this DPA.

The subject site is also located within the QE1 Flood Hazard DPA; however, industrial uses that are not adjacent to a dyke are exempt from the requirements of this DPA.

Zoning Bylaw

The subject site is currently zoned Comprehensive Development District (1084 Tanaka Court) (CD-82). The CD-82 zone permits commercial uses such as public assembly and entertainment uses, business and professional offices, cafes and restaurants, child care, commercial schools, retail stores, and personal service establishments. The application proposes to amend the site's zoning to Light Industrial Districts (M-1), which allows uses including but not limited to manufacturing, trade schools, self-storage, truck and industrial equipment repair, sales, rental, and storage, retail building supply establishments, scientific laboratories, and taxi offices.

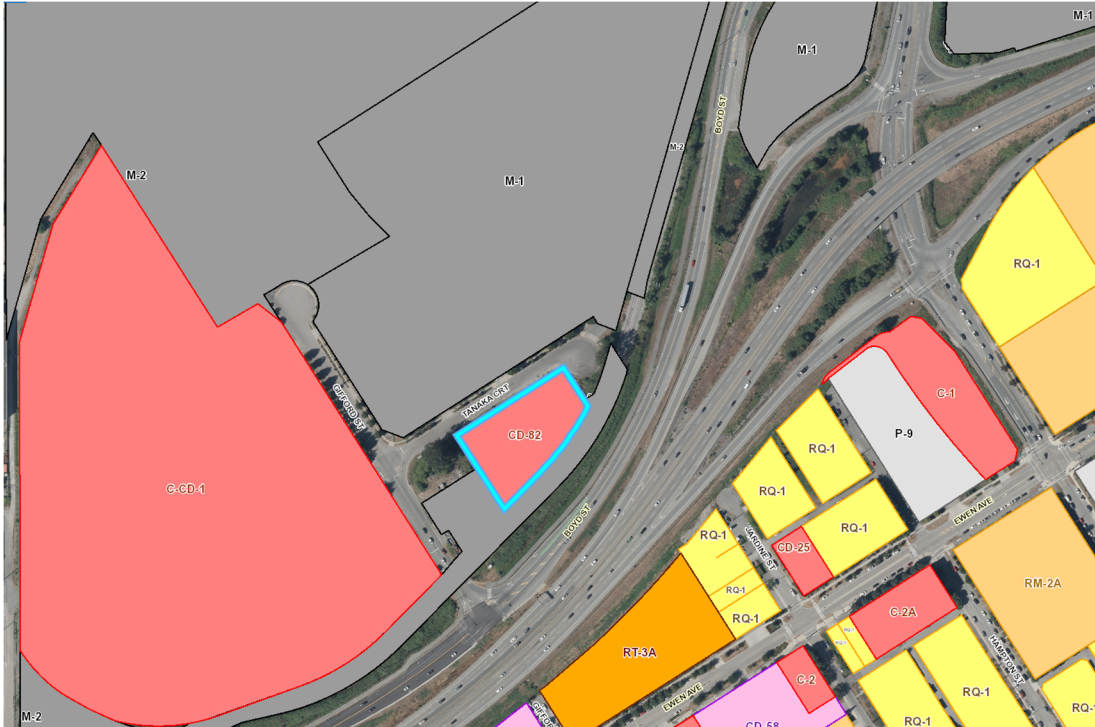
Site Context Maps

A zoning district map and OCP designation map are provided below, with 1084 Tanaka Court outlined in blue (Figures 1 and 2).

Figure 1: Surrounding OCP land use designations



Figure 2: Surrounding zoning districts





Attachment #2
Project Summary Letter

From: REDACTED
To:
Cc:
Subject: RE: [EXTERNAL] Re: 1084 Tanaka Court - Development Options Letter
Date: Thursday, March 7, 2024 11:00:06 AM

CAUTION: This email originated from outside of the City of New Westminster's network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Our proposal to return 1084 Tanaka Court back to industrial land comes from a need to address the critical shortage of industrial land supply in Metro Vancouver. Whereas we would have been equally favorable to redeveloping this site for social housing, market housing, childcare and commercial, but the lack of favorable preliminary support, has directed us towards this change. Industrial land in metro vancouver is equally as scarce as affordable residential housing.

Metro Vancouver industrial land vacancy is about one per cent — among the lowest in North America, according to the study commissioned by the Greater Vancouver Board of Trade and NAIOP Vancouver, a commercial realstate advocacy group.

Industrial land makes up only four per cent of the total land mass in Metro Vancouver, but contributes to more than 450,000 direct and indirect jobs, and \$50 billion in GDP.

For every one per cent increase in land available for jobs and production in Metro Vancouver, the report suggests an estimated 126,100 jobs are created, and \$12.2 billion in gross domestic product is generated for the province.

Twenty-seven per cent of Metro Vancouver jobs are located on industrial land. In view of these drivers, we believe that this property, which has been very difficult to develop, would be better suited as industrial land. We have received interest in this property from both a large international union training centre with the United Brotherhood of Carpenters and Joiners as well as a developer of a self storage facility.

Please assist us in expediting an Official Community Plan process so that we may revert this property to meet the uses identified.

Chuck Puchmayr
Civic Visions.
Per Dharam Sra and Bhupinder Dhillon



Attachment #3

Official Community Plan Amendment Consideration of Public Consultation

OFFICIAL COMMUNITY PLAN AMENDMENT CONSIDERATION OF PUBLIC CONSULTATION

Consultation Requirements

Section 475 and 476 of the *Local Government Act* provide specific requirements for consultation that must occur prior to the consideration of an Official Community Plan (OCP) amendment. The Act requires local governments to provide one or more opportunities it considers appropriate for consultation with the organizations it considers may be affected by the proposed OCP amendment. The local government must:

- a) Consider whether the opportunities for consultation with one or more organizations and authorities should be early and ongoing;
- b) Specifically consider whether consultation is required with:
 - i) The board of the regional district in which the area covered by the plan is located;
 - ii) The board of any regional district that is adjacent to the area covered by the plan;
 - iii) The Council of any municipality that is adjacent to the area covered by the plan;
 - iv) First Nations;
 - v) Greater boards and improvement district boards; and
 - vi) The Provincial and Federal governments and their agencies, and
- c) Consult with the Board of Education and seek input on the following:
 - i) The actual and anticipated needs for school facilities and support services in the school districts;
 - ii) The size, number, and location of the sites anticipated to be required for the school facilities referred to in paragraph i);
 - iii) The type of school anticipated to be required on the sites referred to in paragraph ii);
 - iv) When the school facilities and support services referred to in paragraph i) are anticipated to be required;
 - v) How the existing and proposed school facilities relate to existing or proposed community facilities in the area.

Consideration of Consultation

Council is required to consider who could be affected by the proposed Official Community Plan amendment. The *Local Government Act* requires that Council specifically consider whether consultation is required with the groups listed above. Staff have provided a recommendation for Council's consideration of each of the identified groups:

a) First Nations

The City of New Westminster is currently in the process of developing a work plan to establish strategies to guide the City in the operationalization of Truth and Reconciliation efforts. These strategies will address how the City undertakes consultations with First Nations in regards to Official Community Plan amendments as well as other planning notifications. As this process is not yet in place, staff recommends utilizing the contact list maintained by the Vancouver Fraser Port Authority for First Nations consultation on this application. This approach has been reviewed by the City's Museums & Heritage Services staff.

The First Nations on the Vancouver Fraser Port Authority's consultation list include:

- *Cowichan Tribes;*
- *Halalt First Nation;*
- *Katzie First Nation;*
- *Kwantlen First Nation;*
- *Kwikwetlem First Nation;*
- *Lyackson First Nation;*
- *Lake Cowichan First Nation (Ts'uubaa-asatx First Nation);*
- *Musqueam Indian Band;*
- *Penelakut Tribe;*
- *Qayqayt First Nation;*
- *Seabird Island Band;*
- *Semiahmoo First Nation;*
- *Shxw'ōwhámél First Nation;*
- *Skawahlook First Nation;*
- *Soowahlie First Nation;*
- *Squamish Nation;*
- *Sto:lo Nation;*
- *Sto:lo Tribal Council;*
- *Stz'uminus First Nation;*
- *Tsawwassen First Nation; and*
- *Tsleil-Waututh Nation.*

- b) The Board of the Regional District in which the area covered by the OCP is located.

Consultation with Metro Vancouver is not recommended as the proposed development is small in nature and will not have any regional implications.

- c) The board of any regional district that is adjacent to the area covered by the plan.

Consultation with other Regional Districts is not recommended as the proposed OCP Amendment is not considered to affect adjacent Regional Districts.

- d) The Council of any municipality that is adjacent to the area covered by the plan.

Consultation with the City of Richmond, the City of Burnaby and the City of Coquitlam is not recommended given the scale of the proposed development and location of the site. The proposal is not considered to have any negative impact on these municipalities.

- e) Greater boards and improvement district boards.

The Greater Vancouver Sewerage and Drainage District Board oversees the operation of regional utilities in New Westminster. Consultation with the Greater Vancouver Sewer and Drainage District Board is not recommended since the proposed development is small in nature and not deemed to have any significant impacts to any regional utilities.

- f) The Provincial and Federal governments and their agencies.

Consultation with the Provincial Ministry of Highways and Infrastructure is required since the subject site falls within 800 metres of a controlled access highway (Highway 91A). Consultation with other Provincial and Federal government agencies is not recommended as the proposed OCP Amendment is not considered to affect other agencies.

Staff will seek input from the parties selected in the following manner:

- a) Send a request for written comments to the parties listed above;
- b) As part of the notification requirements for Public Hearing, place a notice on CityPage to advise the public of this application; and
- c) As part of the notification requirements for Public Hearing, require the applicant to include notice of the proposed OCP amendment on the site signage required for the subject application.

The consultation requirements under this section of the *Local Government Act* are in addition to the Public Hearing requirements.