

Attachment 2

Policy, Regulations and Background

Local Government Act

[Division 8 — Temporary Use Permits](#) – The Local Government Act authorizes municipalities to issue Temporary Use Permits, which allow uses which would not normally be permitted to operate on a temporary basis. The permits are issued for a maximum of three years and, after that time, may be extended by application for an additional three years. Council may attach conditions to the issuance of the permit to ensure that the impacts of the temporary use on existing businesses and properties are mitigated. The conditions apply in relation to a renewal.

Official Community Plan

The Official Community Plan designates the subject sites as (SGTMC) Sapperton Green Transit-Oriented Mixed-Use Community. This designation is described as:

(SGTMC) Sapperton Green Transit-Oriented Mixed-Use Community – *This area will include a mix of medium to high density residential, office, retail, open space, and public and other community serving facilities in a transit supportive, complete community... Development of the site will require a comprehensive Master Plan including Design Guidelines to be created for the entire site prior to any rezoning of the site. The Master Plan is subject to a public review process.*

The subject site is located within the Development Permit Area 5.2 Sapperton Green.

Zoning Bylaw

The subject site is currently zoned Commercial Industrial Districts (CM-1) which allows for a range of uses such as education, office use, light manufacturing and repair, retail including restaurants, personal service, public assembly, entertainment and recreation, storage and warehouse uses, but does not allow a commercial parking lot.

Section 190.46 of the Zoning Bylaw allows temporary uses to be considered and identifies the following criteria for the issuance of a Temporary Use Permit:

- a) Whether the proposed use is consistent with the official community plan designation for the land;
- b) Whether the proposed use is consistent with any neighbourhood plan applying to the land;
- c) Whether the proposed use is consistent with relevant policies adopted by the Council;
- d) In the case of any proposed use that is not consistent with any such plan or Council policy, the nature and extent of any community benefit from the use;
- e) Whether the proposed use is of a temporary nature or whether it would be more appropriate for the City to consider permitting the use by rezoning;
- f) The suitability and compatibility of the proposed use with the surrounding area, including its operation, function, appearance and intensity of use;

- g) The impact of the proposed use on the operation of adjacent uses, including future land uses permitted by the zoning bylaw and designated by the official community plan.

Temporary Use Permit Background – Royal Columbian Hospital Redevelopment (Phases 1 and 2)

Temporary Use Permit 00012 was approved by Council in 2016 to allow a temporary parking lot on a portion of 97 Braid Street for hospital staff and construction workers during Phase 1 of the Royal Columbia Hospital redevelopment. It was subsequently renewed in 2019 for an additional three years, expiring in September 2022, in alignment with the completion of Phase 1.

Temporary Use Permit 00028 was approved by Council in 2022 to support Phase 2 of the hospital redevelopment, under similar conditions, with the expectation that it could be renewed for an additional three years or until the completion of Phase Two.

Both permits were reviewed against the temporary use criteria outlined in section 190.46 of the Zoning Bylaw. Staff analysis and related considerations were detailed in the Council reports associated with each permit, as listed below.

A copy of the agenda from the meeting (Item 3) and the 2022 report can be found at: <https://pub-newwestcity.escribemeetings.com/FileStream.ashx?DocumentId=12397#page=10>

The minutes from the meeting can be found at: <https://pub-newwestcity.escribemeetings.com/FileStream.ashx?DocumentId=12630#page=2>

<i>Phase 1 – RCH Redevelopment</i>	
TUP00012	December 5, 2016 to October 31, 2019
TUP00012 (Renew)	October 31, 2019 to September 19, 2022
<i>Phase 2 – RCH Redevelopment</i>	
TUP00028	September 19, 2022 to September 19, 2025
TUP00028 (Renew)	September 19, 2025 to September 19, 2026