

Staff Report to Council

Community Development

FILE: 4520-20-2019-01

DATE: April 24, 2019

Date of Meeting – April 30, 2019

TO: Mayor and Council


FROM: Stefanie Ekeli, Development Services Technician

SUBJECT: Temporary Commercial Use Permit Application for 19451 Sutton Ave

RECOMMENDATION(S): THAT Council:

- A. Issue a Temporary Commercial Use Permit No. 2019-001 for a sales center at 19451 Sutton Ave in Building 8 Unit 16 for a period of 2 years with the option for renewal for another 2 years; OR
- B. Other.

CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:



PURPOSE

To recommend Council approve a Temporary Commercial Use Permit (TCUP) to permit a sales center at Natures Walk at 19451 Sutton Road.

☐ Information Report

☐ Direction Report

☒ Decision Report

DISCUSSION

Background:

The City has received an application for a Temporary Commercial Use Permit (TCUP) to allow a sales center at Natures Walk at 19451 Sutton Avenue. The sales center is proposed to be located onsite within an existing townhouse located at Building 8, Unit 16 (see Attachment D).

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DM: 155335

Applicant: Chip Lyall
Owner: Onni Bonson Road Holdings Corp.
Civic Address: 19451 Sutton Ave
PID: 028-874-145
Legal Description: Lot 1 District Lot 254 and 282 Group 1
New Westminster District Plan BCP50931
Parcel Area: 4.65 ha (11.49 acres)
Area of TCUP: Wholly contained in Building 8 Unit 16
OCP Designation: Residential- Medium Density
OCP DVP: Development Permit Area #9- Multi Family
Zoning: Comprehensive Development L (CD-L)

The Onni Group has been working with the City for a number of years to develop the subject site. As Phase 2 is currently under construction, Onni Group is seeking approval to allow a sales center on the property located wholly within Building 8 Unit 16 (see Attachment D) for the purpose of selling units for Phase 2.

The current CD-L (Comprehensive Development L) does not permit commercial uses; therefore, a Temporary Commercial Use Permit is required to bring the use into compliance with the City's Zoning Bylaw.

The following are requirements under the City's Development Procedures Bylaw No. 2740, 2016: a development sign must be posted on site; notice of consideration of a temporary use permit must be advertised in the newspaper; and notice delivered to properties within 50 m of the subject property or a radius as directed by Council. A development sign was posted on April 5, 2019 (see Attachment F).

Relevant Policy, Bylaw or Legislation:

Zoning Bylaw 2505, 2011; *Local Government Act*

Analysis:

Planning staff recommends a Temporary Commercial Use Permit for the sales center rather than a rezoning because the use itself is temporary. A Temporary Use Permit (TUP) is intended to permit a use on a property that would not otherwise be permitted under the City's Zoning Bylaw.

Because the sales center is only intended to be used temporarily to sell townhomes for Phase 2 and will be located wholly within an existing townhome on the property, a TUP is the desired course of action. The TUP can be issued for a maximum of two years plus one renewal, as per the City's Bylaws.

A Development Permit Amendment is not needed as the sales center will be located wholly within an existing townhouse. Further, an amendment to the Zoning Bylaw is not recommended as the townhouse located in Building 8 Unit 16 will be used as the sales center and will likely be sold on the market after this use is no longer needed.

Public Notice:

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DM: 155335

At the April 16th, 2019 Council meeting, Council chose a 150 m radius buffer and squared off the buffer to include the remaining portion of Sutton Avenue and Thornburn Way to Bonson Road. Council chose to square off the buffer as these streets may see an increase in the flow of traffic to the sales center.

A notice of consideration was advertised in the newspaper on April 24th and 26th, 2019. Notice was delivered to residences within the 150 m radius buffer on April 17th, 2019.

At the writing of this report, no public comments have been received.

Recommendation:

Staff recommend issuing a Temporary Commercial Use Permit to allow a sales center to be located at 19451 Sutton Ave in Building 8, Unit 16 for 2 years with an option of renewal for another two years.

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Corporate Excellence ☐ Economic Prosperity ☒ Community Livability
- ☐ Transportation & Infrastructure ☐ Not Applicable

Encourage diversity in the range and mix of housing types.

FINANCIAL IMPLICATIONS

- ☒ None ☐ Budget Previously Approved
- ☐ Other ☐ Referral to Business Planning

There are no financial implications for this report.

PUBLIC PARTICIPATION

- ☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower
-

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No

No impacts to the Katzie First Nation were identified.

SIGN-OFFS

Written by: Stefanie Ekeli

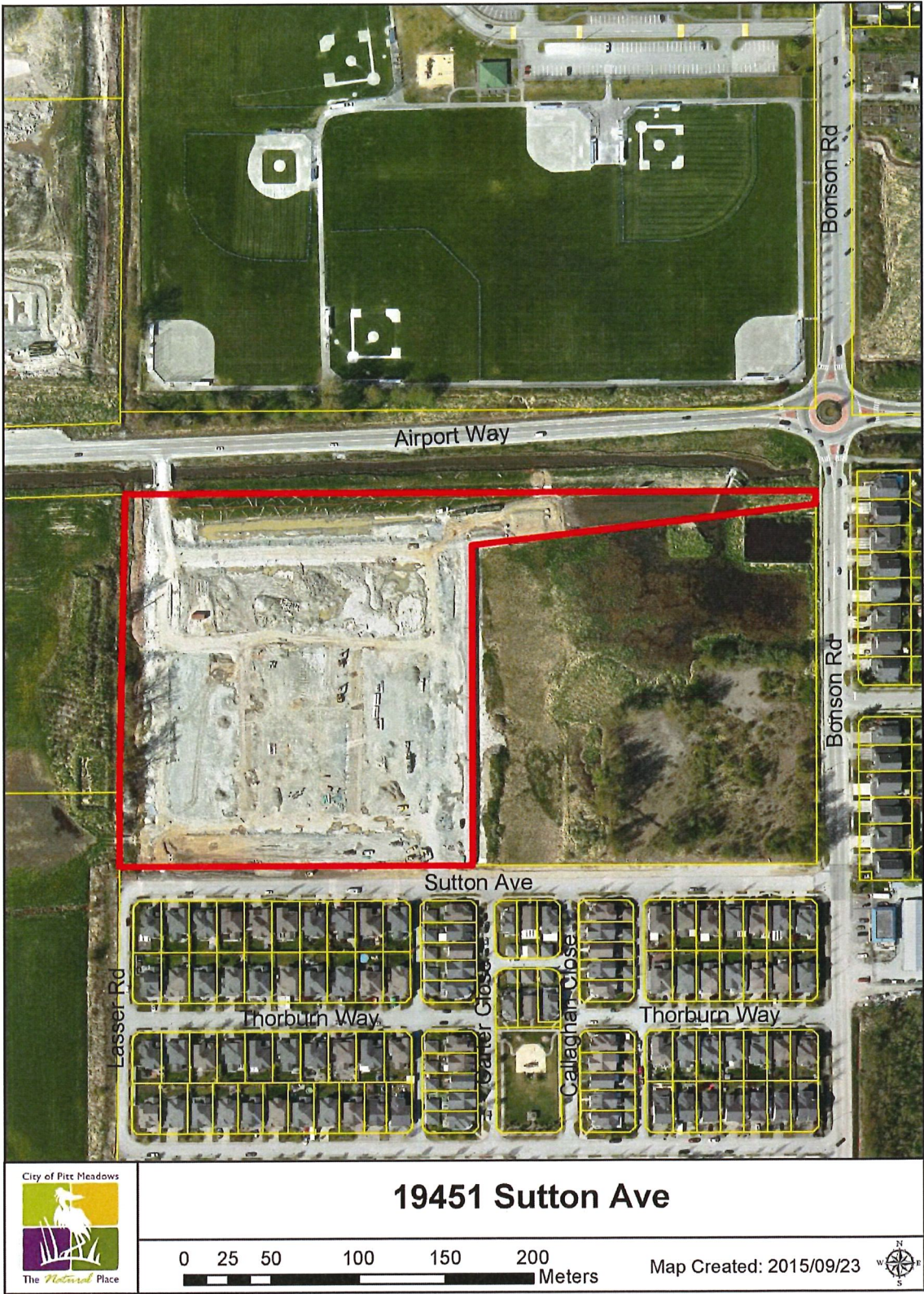
Reviewed by: Lisa Grant, Director of Community Services

Development Services Technician

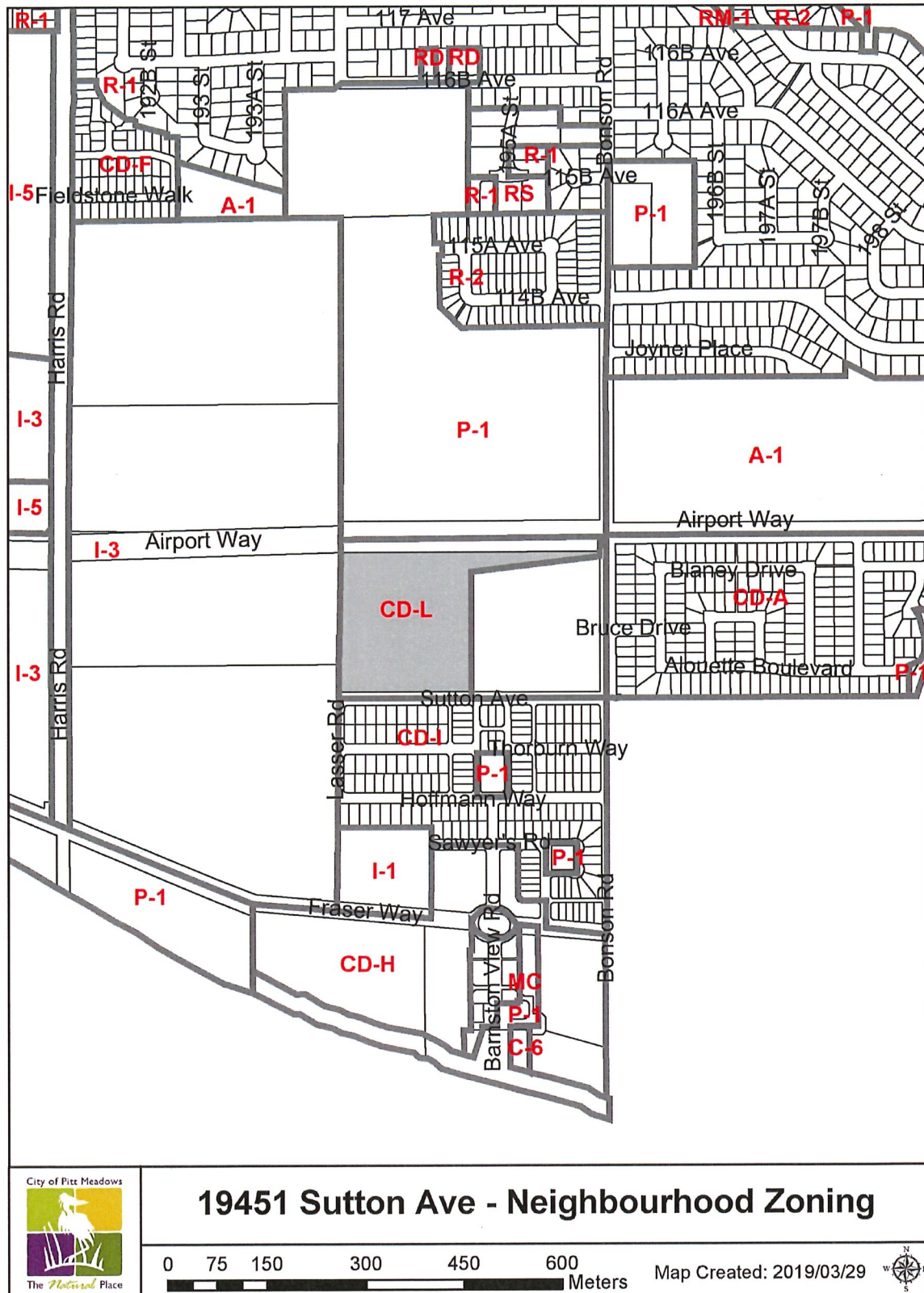
Insert: Name, Position of Reviewer.

ATTACHMENT(S):

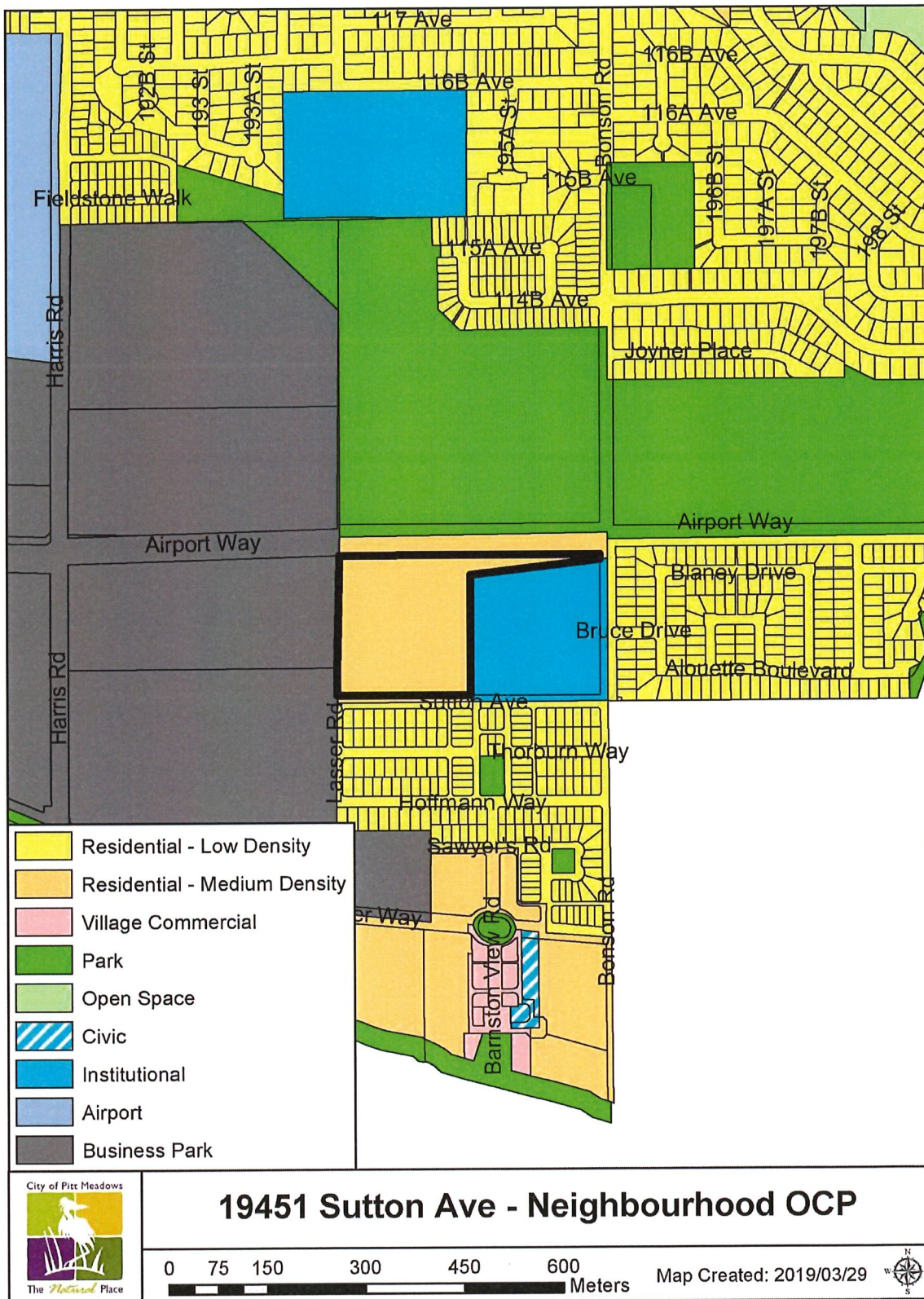
- A. Subject Property Map
- B. Neighbourhood Zoning Map
- C. Official Community Plan Map
- D. Site Plan Showing Location of Sales Centre
- E. Letter of Intent
- F. Posted Development Sign
- G. Draft TCUP 2019-001



ATTACHMENT B: Neighbourhood Zoning Map



ATTACHMENT C: Official Community Plan Map



Architectural site plan for the south side of Sutton Avenue. The plan shows a series of building footprints, parking lots, and landscaping. A central area is highlighted in yellow. The plan is oriented with North at the top.

Labels on the plan include:

- SUTTON AVE
- SUTTON AVENUE
- SUTTON AVE
- 1.2.3.4.5.6.7.8.9.10.11.12.13.14.15.16.17.18.19.20.21.22.23.24.25.26.27.28.29.30.31.32.33.34.35.36.37.38.39.40.41.42.43.44.45.46.47.48.49.50.51.52.53.54.55.56.57.58.59.60.61.62.63.64.65.66.67.68.69.70.71.72.73.74.75.76.77.78.79.80.81.82.83.84.85.86.87.88.89.90.91.92.93.94.95.96.97.98.99.100.101.102.103.104.105.106.107.108.109.110.111.112.113.114.115.116.117.118.119.120.121.122.123.124.125.126.127.128.129.130.131.132.133.134.135.136.137.138.139.140.141.142.143.144.145.146.147.148.149.150.151.152.153.154.155.156.157.158.159.160.161.162.163.164.165.166.167.168.169.170.171.172.173.174.175.176.177.178.179.180.181.182.183.184.185.186.187.188.189.190.191.192.193.194.195.196.197.198.199.200.201.202.203.204.205.206.207.208.209.210.211.212.213.214.215.216.217.218.219.220.221.222.223.224.225.226.227.228.229.230.231.232.233.234.235.236.237.238.239.240.241.242.243.244.245.246.247.248.249.250.251.252.253.254.255.256.257.258.259.260.261.262.263.264.265.266.267.268.269.270.271.272.273.274.275.276.277.278.279.280.281.282.283.284.285.286.287.288.289.290.291.292.293.294.295.296.297.298.299.300.301.302.303.304.305.306.307.308.309.310.311.312.313.314.315.316.317.318.319.320.321.322.323.324.325.326.327.328.329.330.331.332.333.334.335.336.337.338.339.340.341.342.343.344.345.346.347.348.349.350.351.352.353.354.355.356.357.358.359.360.361.362.363.364.365.366.367.368.369.370.371.372.373.374.375.376.377.378.379.380.381.382.383.384.385.386.387.388.389.390.391.392.393.394.395.396.397.398.399.400.401.402.403.404.405.406.407.408.409.410.411.412.413.414.415.416.417.418.419.420.421.422.423.424.425.426.427.428.429.430.431.432.433.434.435.436.437.438.439.440.441.442.443.444.445.446.447.448.449.450.451.452.453.454.455.456.457.458.459.460.461.462.463.464.465.466.467.468.469.470.471.472.473.474.475.476.477.478.479.480.481.482.483.484.485.486.487.488.489.490.491.492.493.494.495.496.497.498.499.500.501.502.503.504.505.506.507.508.509.510.511.512.513.514.515.516.517.518.519.520.521.522.523.524.525.526.527.528.529.530.531.532.533.534.535.536.537.538.539.540.541.542.543.544.545.546.547.548.549.550.551.552.553.554.555.556.557.558.559.560.561.562.563.564.565.566.567.568.569.570.571.572.573.574.575.576.577.578.579.580.581.582.583.584.585.586.587.588.589.590.591.592.593.594.595.596.597.598.599.600.601.602.603.604.605.606.607.608.609.610.611.612.613.614.615.616.617.618.619.620.621.622.623.624.625.626.627.628.629.630.631.632.633.634.635.636.637.638.639.640.641.642.643.644.645.646.647.648.649.650.651.652.653.654.655.656.657.658.659.660.661.662.663.664.665.666.667.668.669.670.671.672.673.674.675.676.677.678.679.680.681.682.683.684.685.686.687.688.689.690.691.692.693.694.695.696.697.698.699.700.701.702.703.704.705.706.707.708.709.710.711.712.713.714.715.716.717.718.719.720.721.722.723.724.725.726.727.728.729.730.731.732.733.734.735.736.737.738.739.740.741.742.743.744.745.746.747.748.749.750.751.752.753.754.755.756.757.758.759.760.761.762.763.764.765.766.767.768.769.770.771.772.773.774.775.776.777.778.779.780.781.782.783.784.785.786.787.788.789.790.791.792.793.794.795.796.797.798.799.800.801.802.803.804.805.806.807.808.809.810.811.812.813.814.815.816.817.818.819.820.821.822.823.824.825.826.827.828.829.830.831.832.833.834.835.836.837.838.839.840.841.842.843.844.845.846.847.848.849.850.851.852.853.854.855.856.857.858.859.860.861.862.863.864.865.866.867.868.869.870.871.872.873.874.875.876.877.878.879.880.881.882.883.884.885.886.887.888.889.890.891.892.893.894.895.896.897.898.899.900.901.902.903.904.905.906.907.908.909.910.911.912.913.914.915.916.917.918.919.920.921.922.923.924.925.926.927.928.929.930.931.932.933.934.935.936.937.938.939.940.941.942.943.944.945.946.947.948.949.950.951.952.953.954.955.956.957.958.959.960.961.962.963.964.965.966.967.968.969.970.971.972.973.974.975.976.977.978.979.980.981.982.983.984.985.986.987.988.989.990.991.992.993.994.995.996.997.998.999.1000.1001.1002.1003.1004.1005.1006.1007.

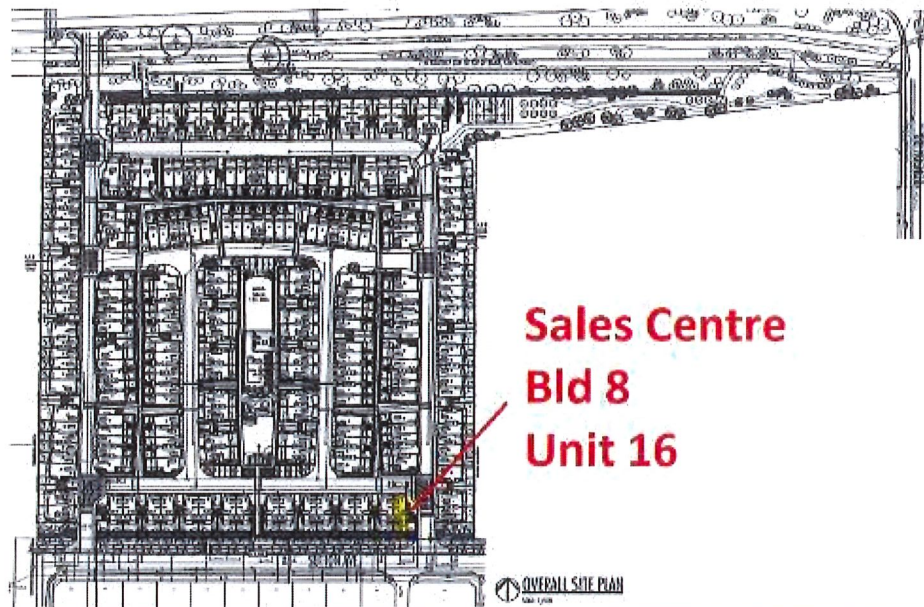


Contracting Ltd.

Dana Parr
Planner
12007 Harris Rd.
Pitt Meadows, BC

Letter of Intent: Temporary Commercial Use Permit

Onni is requesting a temporary commercial use permit for a Sales Centre at Nature's Walk Townhouse Development. Building 8, Unit 16 of 19451 Sutton Ave, Pitt Meadows BC is intended to be used for the sales of units within the development. An application for a temporary commercial use permit is included herein. Below shows the unit requesting the temporary commercial use permit on a site plan.



Best regards,

Chip Lyall
Development Manager

#200 – 1010 Seymour Street, Vancouver, British Columbia V6B 3M6 - Tel (604) 602-7711 • Fax (604) 698-7907

ATTACHMENT F: Posted Development Sign



CITY OF PITT MEADOWS

TEMPORARY COMMERCIAL USE PERMIT NO. 2019-001

ISSUED BY:

THE CITY OF PITT MEADOWS, a City under the "Local Government Act" of the Province of British Columbia, and having its Municipal Offices at 12007 Harris Road, in the Municipality of Pitt Meadows, in the Province of British Columbia, V3Y 2B5

(hereinafter called the "City")

TO: **ONNI BONSON ROAD HOLDINGS CORP., INC. NO. BCO947598**
200 – 1010 SEYMOUR STREET
VANCOUVER, BC
V6B 3M6

(hereinafter called the "Permittee(s)")

WHEREAS the Permittee(s) wishes to conduct an industrial operation upon ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of Pitt Meadows in the Province of British Columbia, and more particularly known and described as:

Parcel Identifier: 028-874-145

Legal Description: Lot 1 District Lot 254 & 282 Group 1 New Westminster District Plan BCP50931

(hereinafter called the "Lands")

AND WHEREAS the Permittee(s) has made application for a Temporary Industrial Use Permit in regard to the Lands;

AND WHEREAS the Local Government Act provides that in such a Permit certain matters may be regulated, required or limited;

NOW THEREFORE, the Council of the City of Pitt Meadows hereby issues a Temporary Industrial Use Permit in respect of the Lands as follows:

1. This Temporary Industrial Use Permit is issued subject to compliance with all City Bylaws except those bylaw conditions that are at variance with the conditions described in this Permit.

2. This Temporary Industrial Use Permit applies to and only to those lands within the City described below, and any and all buildings, structures and other development thereon:

Parcel Identifier: 028-874-145

Legal Description: Lot 1 District Lot 254 & 282 Group 1 New Westminster District Plan BCP50931

3. The Temporary Use described on this permit shall be discontinued on or before **May 7, 2021**

4. The Temporary Use permitted on the said lands shall be to:

Allow a sales centre at 19451 Sutton Avenue, Building 8 Unit 16 for the purpose of selling units within the development, shown outlined on the site plan appended as Attachment A.

5. The Temporary Use shall be carried out according to the following conditions:

- a. No outdoor storage of equipment or materials associated with the business shall take place on site;
- b. The size of the operation shall be limited to the existing townhome.
- c. The hours of operation of the business shall be limited to 8 AM to 6 PM, Monday through Sunday;
- d. The building's sprinkler system must be serviced by a certified ASTTBC Technician, and a copy of the service report be provided to the Fire Department prior to operation;
- e. The applicant shall obtain a business license and any other applicable permits under all applicable City bylaws;
- f. This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation which may apply to the land. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities which have jurisdiction;

6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this permit and any plans and specifications attached to this permit shall form a part hereof.

7. Bylaw Enforcement Staff will monitor operations on the site on a yearly basis at a minimum, and more frequently whenever possible.

8. This permit is not transferable. The permit may be amended or cancelled by Council resolution and in accordance with the regulations prescribed by the Lieutenant Governor in Council.

9. This permit is not a building permit.
AUTHORIZING BY COUNCIL RESOLUTION, passed on the _____ day of _____, 2019

THE CORPORATE SEAL OF THE CITY OF PITT MEADOWS
was hereunto affixed on the _____ day of _____, 2019

Bill Dingwall, Mayor

Kate Barchard, Corporate Officer

Onni Bonson Road Holdings Ltd.
by its authorized signatory(ies)

Print Name

Print Name

SIGNED, SEALED AND DELIVERED BY
the Owner of the Lands on
the ____ day of _____, 2019