

Report

Date	November 20, 2024	File: TUP00029
Subject	Temporary Use Permit Amendment Application for 6823/6833 Bell McKinnon Road	

PURPOSE

To consider an application for an amendment to Temporary Use Permit No. TUP00029 to permit an expansion of the temporary vehicle parking areas at 6823/6833 Bell McKinnon Road.

BACKGROUND

On September 26, 2023, North Cowichan approved Temporary Use Permit No. TUP00029 (TUP00029) to permit parking for construction worker vehicles, trades trailers, and topsoil storage as a temporary use at 6823/6833 Bell McKinnon Road (Attachments 1, 2, & 3). TUP00029 was issued to address the operational needs of the Cowichan District Hospital Replacement Project (CDHRP) on the subject lands, which could not be accommodated on the abutting CDHRP construction site (6700 Bell McKinnon Road).

Since the issuance of TUP00029, the applicant has indicated a need to increase the capacity of the temporary vehicle parking areas at the subject site to meet the parking demand associated with the CDHRP peak construction period (Attachment 4). A Temporary Use Permit (TUP) Amendment application has been submitted to allow an expansion of the temporary vehicle parking areas previously approved through TUP00029 to accommodate this increased parking demand. The terms and conditions of the amended TUP would remain unchanged, including maintaining the original expiry date of January 8, 2027.

DISCUSSION

Proposal:

The applicant requests approval to permit an expansion of the temporary vehicle parking areas approved through TUP00029. A topographic site plan (Attachment 5) has been provided to depict the location of existing temporary uses and the extent of the proposed parking area expansion.

An Environmental Assessment (EA) report prepared by Corvidae Environmental Consulting Inc. was previously submitted with the TUP00029 application. The report assessed environmental features on the subject property and provided recommendations for protecting them. Recommended environmental protection measures included keeping development 15 metres away from a wetland/watercourse feature on the property and installing sediment and erosion controls. A subsequent *memo to the EA (prepared by Corvidae Environmental Consulting Inc.) has been submitted as part of this TUP Amendment application to verify that the proposed parking expansion will also adhere to the environmental protection measures recommended in the EA (Attachment 6)*. The temporary uses approved under TUP00029 have been established on the subject property. Approval of the TUP Amendment application would enable the expansion of the temporary parking uses on the subject property.

Zoning:

The subject property is zoned Rural Residential 1 (R1) and currently includes a single-family dwelling. Uses permitted in the R1 zone include single and two-family residential use, agriculture, and home-based business. The current extent of parking uses on the subject property has been authorized through the issuance of TUP00029.

Official Community Plan:

The subject property is designated "Village Core" and "Village Residential" in the Official Community Plan (OCP). It is expected that the property will ultimately be redeveloped for mixed commercial/residential uses and 3-5-storey multi-storey residential buildings. The exact timing for the redevelopment of the property is uncertain; however, a rezoning application for the property has now been submitted.

Section 11.2 of the OCP designates all lands within the boundaries of North Cowichan, an area where uses not otherwise permitted by the Zoning Bylaw may be permitted on a temporary basis. In order for a temporary use to be authorized through the issuance of a TUP, Council (or Council's delegate) must be satisfied that:

- The potential adverse impacts on adjacent and surrounding properties will be appropriately managed;
- (The temporary use) will not give the permit holder a competitive advantage over similar businesses operating in locations zoned for the use;
- (The temporary use) will not result in permanent facilities and land alterations that will encourage non-compliance with the Zoning Bylaw once the temporary use permit has expired; and,
- (the property owner/applicant) will return the land to a condition conducive to the uses it is zoned for.

Notification:

Notice must be given in accordance with *Community Charter* section 94 of Council's intent to consider a TUP. Property owners/occupants within 60m of the site boundary were notified by letter on November 7, 2024, and the intent to consider the proposed TUP was advertised on North Cowichan's social media sites on November 7 and advertised in the Times Colonist on November 13. At the time of drafting this report, no comments have been received. Any comments subsequent to this report will be provided to Council at or prior to the Council meeting.

Summary and Conclusion:

The CDHRP is a significant construction project on a scale not seen before in the Cowichan Valley. The size of the project and the amount of material, labour and other resources needed to accomplish it make it challenging to have all work and activities ancillary to the construction confined on-site. Using land adjacent to or close to the hospital site for these activities is more efficient for the project. It is potentially less disruptive than locations further away, where there would be greater impacts on local roads and more logistical issues with moving people and products between the hospital site and locations for temporary uses required for the construction project.

Many parcels near the hospital site, including the subject property, have been purchased by development companies that intend to redevelop them according to the land uses and densities outlined in the OCP and Bell McKinnon Local Area Plan. While the time for redevelopment of the lands surrounding the hospital site is uncertain, the interim use of property immediately adjacent to facilitate construction of the new hospital is supportable provided the temporary uses do not negatively impact sensitive site features or interfere with intended future uses.

Prior to the issuance of TUP00029, a \$10,000 security deposit was required to be submitted by the permit holder, which could be used to restore the property to its pre-development condition upon expiry of the temporary use permit – should the restoration works not be voluntarily undertaken by the applicant or property owner. Given the relatively small increase in the parking area requested in the amendment application (approximately 30%) and the near-term likelihood of redevelopment at the subject site, an increase to the security deposit has not been identified as necessary. However, at Council's discretion, additional security may be requested in advance of permit issuance.

OPTIONS

1. **(Recommended Option)** THAT Council approves an Amendment to Temporary Use Permit No. TUP00029 to permit an expansion of the temporary vehicle parking areas at 6823/6833 Bell McKinnon Road.
 - *This option would allow for the proposed expansion of temporary vehicle parking areas on the subject property and enable the remainder of temporary uses presently occurring on the subject property to continue, helping to facilitate the construction of the new hospital.*
 - *Council may, by further resolution, specify additional security of \$X to be submitted prior to issuance.*
2. THAT Council denies the application for an Amendment to Temporary Use Permit No. TUP00029 to permit an expansion of the temporary vehicle parking areas at 6823/6833 Bell McKinnon Road.
 - *Denial of the application would prohibit the proposed expansion of temporary vehicle parking areas on the subject property, limiting the extent of temporary uses to those originally permitted under Temporary Use Permit No. TUP00029.*

RECOMMENDATION

THAT Council approves an Amendment to Temporary Use Permit No. TUP00029 to permit an expansion of temporary vehicle parking areas at 6823/6833 Bell McKinnon Road.

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Approved to be forwarded to Council:



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Attachments:

- (1) Location Map
- (2) Orthophoto
- (3) Zoning Map
- (4) Letter of Intent
- (5) Site Plan
- (6) Environmental Assessment Report Memo
- (7) Public Notice
- (8) Draft TUP Amendment