



District of Wells

Meeting Date	August 8, 2017
Report Date:	August 3, 2017
Memo to:	Mayor and Council
From:	Andrew Young, Chief Administrative Officer
Subject:	Proposed Temporary Use Permit Policy for the District of Wells

Purpose/Issue:

To present for Council's consideration a proposed Temporary Use Permit policy for inclusion in the District of Wells Official Community Plan.

Background / Analysis:

The District of Wells Official Community Plan (OCP) was adopted in 2010 (Bylaw No. 106, 2010). The District's OCP does not include any policies to support the establishment of temporary uses in Wells. Unless the District of Wells has a Temporary Use Permit policy in its Official Community Plan Council may not approve any proposals for temporary uses.

In order to enable the District of Wells to consider temporary use permit applications a proposed Temporary Use Permit policy for the District's OCP has been prepared for Council to consider; please see the proposed amendment bylaw namely "Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017" (Attachment #1). For additional clarity the proposed text amendment to Wells' OCP follows:

"3.14 Temporary Use Permit Policies

- a. Objective: To provide support for temporary uses in the District of Wells on appropriate properties and sites.*
- b. Authority to Issue Temporary Use Permits: In accordance with the provisions of the Local Government Act, an Official Community Plan may: designate areas where temporary uses may be allowed; and, specify general conditions regarding the issue of temporary use permits in those areas.*
- c. Subject Area: The entire town site of the District of Wells – as demarcated by the Town Centre Boundary shown on Schedule B of the District of Wells Official Community Plan – is designated as an area where a Temporary Use Permit may be considered. The temporary use designation is intended to apply only to commercial and/or industrial operations that are temporary in nature (i.e. 3 years or less in duration, subject to a one-time renewal). This*

designation; however, does not in itself permit specific uses on individual properties or sites within the Wells town site.

- d. Conditions: The following conditions apply to Temporary Use Permits:*
- i. A Temporary Use Permit may specify the conditions under which the temporary use may be carried on. District Council may require that specific conditions are addressed before a temporary use permit is issued by the District of Wells;*
 - ii. All Temporary Use Permits should address other objectives and policy directions in the Official Community Plan where applicable, for example:
 - i. Preservation and restoration of the distinctive architectural style of Wells and the development of a 1930's mining town theme and to ensure that new development is compatible with the heritage environment (Objective 3.2a);*
 - ii. Promote [Commercial] development within the existing infrastructure framework of the District of Wells (Objective 3.3 a (1));*
 - iii. Facilitate development of industrial activities in appropriate locations in Wells (Objective 3.4 a);*
 - iv. Preserve and protect the environmental and aesthetic qualities of the Wells area (Objective 3.10 a); and*
 - v. Minimize Green House Gas Emissions and prepare the community of Wells for Climate Change (Objective 3.12 a);**
 - iii. All properties / sites for which a Temporary Use Permit is issued must be generally able to service the requested temporary use/s within existing servicing capacity, and not require significant servicing upgrades.*
 - iv. The owner of, or the applicant for, the properties / sites for which a Temporary Use Permit is issued may be required to do one or more of the following:
 - i. remove buildings;*
 - ii. restore the property to a specific condition when the temporary use ends; and/or*
 - iii. provide security as a condition of issuing the permit to guarantee the performance of the terms of the permit.**
 - v. Upon expiration of a Temporary Use Permit, the permitted use/s revert to those outlined in the District of Wells Zoning and Tree Protection Bylaw No. 26, 2000, as amended."*

If Council chooses to give first and second reading to the proposed OCP amendment, then Council will also need to provide one or more opportunities which Council considers appropriate for consultation with persons, organizations and authorities it considers will be affected by the bylaw pursuant to Section 475 of the Local Government Act (BC). District

staff would recommend posting public notices about the proposed bylaw at the District's designated posting places as well as at the public library, Wells Community Hall, Wells Legion, BNC Mercantile, in the Wellspring Newsletter and on the District's website inviting the public to review the document and provide written comments. In addition, staff would recommend that a public information session be held in advance of a future public hearing to help provide information about the proposed temporary use permit policies. It would also be recommended that a copy of the proposed bylaw be forwarded to the Cariboo Regional District and to the Ministry of Transportation and Infrastructure for review and comment.

Budget, Policy, Staffing:

None

Legal Considerations:

Council may not approve any proposals for temporary uses unless the District of Wells has a Temporary Use Permit policy in its Official Community Plan (per Sections 492 & 493 Local Government Act (BC).

Options / Recommendations:

That Council:

1. Receives the staff report regarding the proposed Temporary Use Permit policy for the District of Wells Official Community Plan;
2. Gives First and Second Reading to District of Wells Bylaw No. 154, 2017 namely "Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017" and:
 - a. provides one or more opportunities which Council considers appropriate for consultation with persons, organizations and authorities it considers will be affected by the bylaw pursuant to Section 475 of the Local Government Act (BC); and
 - b. forwards the bylaw to a future Public Hearing (to be scheduled) pursuant to Section 477 of the Local Government Act; OR
3. Directs staff to take no further action regarding the proposal.



Andrew Young, MCIP, RPP
Chief Administrative Officer

Attachments:

1. District of Wells Bylaw No. 154, 2017 namely "Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017"