

**Refers to Referral Report Item #6
Public Hearing of March 1, 2022**

MEMORANDUM

April 5, 2022

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Karen Levitt, Deputy City Manager
Armin Amrolia, Deputy City Manager
Katrina Leckovic, City Clerk
Lynda Graves, Administration Services Manager, City Manager's Office
Maria Pontikis, Director, Civic Engagement and Communications
Anita Zaenker, Chief of Staff, Mayor's Office
Neil Monckton, Chief of Staff, Mayor's Office
Alvin Singh, Communications Director, Mayor's Office
Yardley McNeill, Assistant Director, Planning, Urban Design and Sustainability
Chris Robertson, Assistant Director, Planning, Urban Design and Sustainability

FROM: Theresa O'Donnell
General Manager, Planning, Urban Design and Sustainability

SUBJECT: Regulating Self Storage Uses in Industrial Districts (RTS #14969) – Amendment to Include Force and Effect Clause

RTS #: 14969

SUMMARY

- On March 1, 2022, Council referred the above-noted report to a Public Hearing.
- To accommodate in-process applications, staff recommend allowing complete development permit applications that have been received with full payment of the application fee prior to the scheduled Public Hearing date of April 14th to proceed without needing to conform to the regulatory changes described in the report.
- This memo will form part of the April 14, 2022 Public Hearing agenda package and be available for public viewing.

DISCUSSION

There are currently three development permit applications to build self-storage buildings in-process. These projects have submitted complete applications with fees paid. It is unlikely that these applications will receive a development permit prior to the April 14th public hearing date.

All self-storage development applications currently under review are located on sites where the proposed regulations would restrict self-storage use to upper floors. Considering where these projects are in the review process, staff recommend allowing these applications to proceed without having to conform to the proposed Zoning and Development Bylaw changes recommended in the report. If approved, all development permit applications received after April 14th, 2022 would need to comply with the new regulations.

RECOMMENDATION

That Section 4 of the draft by-law attached to the report as Appendix A be amended as follows (Red represents insertions):

4. This By-law is to come into force and take effect on the date of its enactment, **except that Section 2 does not come into force or take effect with regard to any complete development permit application received, with fees paid, on or before April 14, 2022.**

Council action is required to correct the proposed draft by-law to amend the Zoning and Development By-law No. 3575 at Public Hearing. Staff recommend that the following Recommendation for Public Hearing be moved instead.

RECOMMENDATION FOR PUBLIC HEARING

- A. THAT Council approves, in principle, the application to amend Section 11 of the Zoning and Development By-law as described below, to remove Mini-Storage Warehouse as a permitted use:
 - i. on the first storey in the I and M Districts Schedules; and
 - ii. near rapid transit stations in the I-1, I-2 and IC-2 District Schedules;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law generally as presented in Appendix A, with the change to Section 4 referenced in the memo to Council;

- B. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval the updated Mini-Storage Warehouse Guidelines, generally in accordance with Appendix B.
- C. THAT Recommendations A through C be adopted on the following conditions:
 - i. THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- ii. THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
- iii. THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

A handwritten signature in black ink that reads "Theresa O'Donnell". The signature is written in a cursive, flowing style.

Theresa O'Donnell
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