



**MEMO**

**TO:** Chairperson and Members of the City PRAC

**FROM:** Justin Forbes, RPP, MCIP, Planning Director

**SUBJECT:** Delegation of Temporary Use Approval Powers

**DATE:** Tuesday, May 19<sup>th</sup>, 2025

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**Background**

Section 53 of the *Community Planning Act* authorizes the Planning Review and Adjustment Committee (PRAC) to permit temporary uses for periods not exceeding one year, subject to such terms and conditions as may be considered appropriate.

Prior to 2013, Temporary Use applications within the City of Miramichi were considered directly by the Miramichi Planning District Commission.

On March 18, 2013, PRAC adopted Resolution 2013-3-005, which delegated authority to the Development Officer to authorize Temporary Uses in accordance with Section 1.10.2(1)(a) and (b) of former City of Miramichi Zoning By-law No. 91. A copy of the original resolution is attached for reference.

Following the adoption of that resolution, Temporary Use approvals were administered by GMSC – Development Services through the Development Officer.

Since that time, the delegated authority has generally been used selectively for applications involving:

- uses or structures intended to be temporary in nature (e.g., temporary garden centres, temporary display structures, mobile retail uses);
- emergency or hardship situations (e.g., temporary dwelling uses following the loss of a home, installation of an emergency Out of the Cold shelter);

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- temporary placement of structures (e.g., temporary storage buildings prior to main dwelling construction); or
- interim situations pending a longer-term development or planning outcome (e.g., interim mini-home placements or temporary approvals pending future development considerations such as a rezoning application).

The use of delegated authority has historically allowed applications of a limited duration or temporary nature to be addressed more efficiently and administratively where appropriate, while still maintaining written decisions, conditions of approval, neighbour notification, and appeal rights in accordance with the *Community Planning Act*.

### **Current Situation**

Since the adoption of the original 2013 delegation resolution:

- the City and Regional PRAC structure has been amended to establish separate City and Regional PRACs;
- a new City PRAC has been established under the updated governance structure; and
- former City of Miramichi Zoning By-law No. 91 has been repealed and replaced by City of Miramichi Zoning By-law No. 110 (in 2020).

As a result, the previous delegation resolution references both a former committee structure and a repealed zoning by-law.

While the authority to permit Temporary Uses continues to exist under the *Community Planning Act* and Zoning By-law No. 110, staff are recommending that the City PRAC formally re-establish the delegation of these powers to the Development Officer under the current framework.

Continuing this delegation remains appropriate for applications involving clearly temporary circumstances and allows these matters to continue to be addressed efficiently through the Commission's development review and land use administration functions.

At the same time, applications involving broader land use considerations, policy implications, or heightened public interest may still be referred directly to PRAC at the discretion of the Development Officer, as has been done in the past, including the recent temporary fire station file.

### **Recommendation**

It is recommended that the City PRAC adopt the following resolution:

“Resolved that the City Planning Review and Adjustment Committee (PRAC), pursuant to the applicable provisions of the *Community Planning Act* and City of Miramichi Zoning By-

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law No. 110, delegates to the Development Officer the authority to authorize Temporary Uses for periods not exceeding one year.”

**Attachments**

1. PRAC Resolution 2013-3-005 – Delegation of Temporary Use Approval Powers
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Memo Prepared On: Thursday, May-14-26

Memo Prepared by:  
Justin Forbes, RPP, MCIP  
*Planning Director*



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Greater Miramichi  
Service Commission

Commission de services  
du Grand Miramichi

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DEVELOPMENT  
SERVICES

SERVICES  
D'AMÉNAGEMENT

## ***Attachment 1***

### ***PRAC Resolution 2013-3-005 – Delegation of Temporary Use Approval Powers***

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*Amending Victoria Avenue Extension S/D – University Ave, John St., Lobban Ave., & St., Thomas St. – City of Miramichi – PID's 40191074, 40518342 and 40517435 to City of Miramichi Council as per Section 56(2) of the Community Planning Act subject to the final plans receiving Assent of Council before Development Officer approval is obtained*

*Carried*

### FURTHER BUSINESS

**Item 2013-3-004:** Recommendation to adopt former Miramichi Planning District Commission Policies by the Planning Review and Adjustment Committee (PRAC) for Regional Service Commission 5 (Greater Miramichi Regional Service Commission).

Moved: Kurt Marks  
Seconded: Scott Clowater

Resolved, that

- i) Guideline on Private Access and Private Roads – Adopted November 2004
- ii) Flag Lots – A guide for the Review of Subdivision Applications under the Community Planning Act – Adopted October 2001; and
- iii) Water Supply Assessment Guidelines for Subdivisions Served by Individual Private Wells – Adopted February 2000

be adopted by the Planning Review and Adjustment Committee (PRAC) for Regional Service Commission 5 under the following amended date and operational name – *Adopted – March 2013 - Greater Miramichi Regional Service Commission.*

Resolved, that Guideline on Private Access and Private Roads be tabled pending more information from staff.

Moved: Ann Creamer  
Seconded: Robert McLeod

*Carried*

### **Item 2013-3-005: Delegation of Temporary Use Approval Powers**

Moved: Scott Clowater  
Seconded: Robert McLeod

Resolved, that the PRAC pass a motion that states that the PRAC delegates such powers as defined in the City of Miramichi Zoning bylaw No. 91 Section 1.10.2 (1) (a) and (b) to the Development Officer.

*Carried*