



City of Port Moody

Report/Recommendation to Council

Date: March 5, 2021
Submitted by: Community Development Department – Development Planning Division
Subject: Zoning Amendment Bylaw – Mosaic (3015, 3033, 3093 Murray Street)

Purpose

To present for consideration of First and Second Reading of a Zoning Amendment Bylaw for a six-storey mixed-use development, with 2,719.6m² (29,274ft²) of commercial space and 215 residential units at 3015-3093 Murray Street.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 51, 2021, No. 3303 (3015-3093 Murray Street) (CD82) be read a first time as recommended in the report dated March 5 2021 from the Community Development Department – Development Planning Division regarding Zoning Amendment Bylaw – Mosaic (3015, 3033, 3093 Murray Street);

AND THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 51, 2021, No. 3303 (3015-3093 Murray Street) (CD82) be read a second time;

AND THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 51, 2021, No. 3303 (3015-3093 Murray Street) (CD82) be referred to a Public Hearing.

Executive Summary

An Official Community Plan (OCP) amendment and rezoning application was submitted by Mosaic, for the property at 3015-3093 Murray Street in December 2019. A location map is included as **Attachment 1**. The application was first reviewed by Council at a Committee of the Whole meeting in May 2020. In response to staff comments and input from the Community Planning Advisory Committee and Council, an updated proposal was submitted, which includes a number of substantial changes from the original proposal. The changes are summarized in the following table:

| PLAN ELEMENT | INITIAL SUBMISSION | REVISED SUBMISSION | CHANGE |
|----------------------------------|--|---|----------------------------------|
| Total Units | 204 | 215 (138 one-bed + den and 77 two-bed) | +11 units |
| Total Market Rental Units | 0 | 50 | +50 units |
| Total Below Market Rental Units | 0 | 5 | +5 units |
| Adaptable Units | 26% of units | 40% of units, along with 'Aging in Place' features for the other 60% | +14% (adaptable units) |
| Employment Generating Floor Area | 1,666.8m ² (17,942ft ²) | 2,719.6m ² (29,274ft ²) at occupancy, with potential for an additional 130m ² (1,400ft ²) | + 1,052.8m ² , or 63% |
| Parking Spaces | 301 spaces compared to the Zoning Bylaw requirement of 327 | 355 spaces compared to the Zoning Bylaw requirement of 350 | +54 spaces |

On balance, the project has addressed many of the concerns and comments raised as part of the initial staff review and review by CPAC and Council at COTW, including:

- the increased and more flexible employment generating space which is more in keeping with the intent of the 'Mixed Employment' OCP land use designation;
- the market-rental and below-market rental as a positive addition that will increase the City's rental stock;
- the increase to the amount of adaptable units to 40%, closer to the Zoning Bylaw requirement of 50%, and that the remaining 60% of units will have 'Aging in Place' features; and
- parking will meet the overall Zoning Bylaw requirement;

Consideration of the above items as well as building locations/setbacks and unit mix should all be considered and are discussed in more detail in the main body of the report below. On the basis of the changes made to the proposal as part of this resubmission, staff recommend first reading and second reading of the related rezoning Bylaw and referral to a Public Hearing.

Background

The following are the key milestones in the development review process to date:

- the application was accepted on December 19, 2019;
- Early Input opportunity at Committee of the Whole (COTW) on May 19, 2020;
- Community Planning Advisory Committee (CPAC) consideration of the application took place on June 8, 2020; and
- a Community Information Meeting (online) was held on November 18 and 19, 2020.

At the above referenced meeting, COTW passed the following resolution:

CW20/053

THAT staff and the applicant consider the comments provided during the Committee of the Whole meeting held on May 19, 2020 regarding the Rezoning application presented in the report dated March 31, 2020 from the Planning and Development Department - Development Planning Division regarding Early Input - Rezoning (Mixed-Use) 3015-3093 Murray Street (Mosaic Ave Developments).

At the above referenced meeting, CPAC passed the following resolution:

CPAC20/028

THAT staff and the applicant consider the comments provided during the Community Planning Advisory Committee meeting of June 8, 2020 regarding the rezoning application presented in the report dated May 15, 2020 from the Planning and Development Department – Development Planning Division regarding Rezoning – 3015-3093 Murray Street (Mosaic Ave Developments).

Attachment 2 provides an excerpt of the CPAC minutes.

Since the last time Council saw this proposal as Committee of the Whole for early input, the following key changes have been made by the developer:

1. Increased employment space $1,666.8m^2$ ($17,942ft^2$) to a minimum of $2,719.6m^2$ ($29,274ft^2$) at occupancy; from 10% to 14.5% of saleable floor area, through the addition of a second floor/mezzanine office floor area. It is noted that the unit layout may also allow for an additional $130m^2$ ($1,400ft^2$) of mezzanine space to be built in the future;
2. Redesigned commercial spaces to accommodate a wider range of businesses specifically catering to light industrial uses with higher ceilings, extra deep units, mezzanine lofts, and new streetscape design;
3. Dedication of Building #1 for rental housing, which represents 26% of the total number of units, including 50 market-rental units and five below-market rental units;
4. Revised parking design, which meets the overall Zoning Bylaw requirement, though proposes changes to the allocation between uses to provide additional parking for employment generating uses; and
5. Increased share of adaptable homes, now totalling 40% of units, combined with aging-in-place features in all other homes.

If this report's recommendations are supported by Council, the next steps will be:

- Public Hearing followed by consideration of third reading;
- drafting of and Council Consideration of Housing Agreement Bylaw;
- detailed design review for Development Permit; and
- Adoption of Bylaws (Rezoning and Housing Agreement) and issuance of Development Permits (form and character and hazardous conditions).

Discussion

Property Description and Neighbourhood Context

The subject site at 3015-3093 Murray Street, as shown on the Location Plan (**Attachment 1**), is approximately 9,352m² (100,665ft²) in area and is currently vacant with no buildings on the site. The OCP designates the subject lands as Mixed-Employment, allowing for development up to six storeys. The subject lands lie within Development Permit Area 2: Moody Centre and the Evergreen Line Sub-Area – Murray Street Boulevard, which regulates the form and character of mixed-use (employment) development, and Development Permit Area 5: Hazardous Lands due to the potential for earthquake soil liquefaction. The subject lands are presently zoned Light Industrial (M1).

Surrounding development includes:

- North: across Murray Street properties are zoned Civic Service (P1) including Inlet Field and Light Industrial (M1). These properties are designated Parks and Open Space in the OCP;
- East: across Electronic Avenue, the property is zoned CD73 allowing for a mixed-use development and is designated Mixed Use – Moody Centre in the OCP;
- South: across the CP rail line, properties are zoned Light Industrial (M1) and are designated Moody Centre Transit Oriented Development; and
- West: properties are zoned Light Industrial (M1) and also designated Mixed Employment in the OCP.

The OCP designation and Zoning maps are included as **Attachments 3** and **4**.

Development Proposal

The applicant is proposing to rezone the subject lands from Light Industrial (M1) Zone to a Comprehensive Development (CD82) Zone based on the Six-Storey Mixed-Use (CRM2) Zone and a limited number of light industrial uses. A project fact sheet is included as **Attachment 5**, Architectural Renderings, Architectural Plans, and Landscape Plans are included as **Attachments 6, 7, and 8**, and the draft CD Zoning Bylaw as **Attachment 9**.

The development proposal consists of:

- three six-storey mixed-use (residential, commercial, and low-impact light industrial) buildings;
- 2.27 total Floor Area Ratio;
- a total of 215 residential units;
- 50 market rental units and five below-market rental units;
- 40% of units as adaptable units, with the other 60% including elements that allow for aging in place;
- 3,177m² (34,196ft²) of outdoor amenity space;
- 161m² (1,740ft²) of indoor amenity space;
- a minimum of 2,719.6m² (29,274ft²), up to a maximum of 2,849.7m² (30,674ft²), of employment (commercial and low-impact light industrial) space with units fronting onto Murray Street and Electronic Avenue;

- a two-storey parkade that acts as a podium to the south abutting the CP rail line; and
- vehicular access and loading from Electronic Avenue.

Unit Design

A total of 215 one- and two-bedroom residential units are being proposed with the following breakdown:

| UNIT TYPE | UNIT COUNT | PERCENTAGE OF OVERALL UNITS | UNIT SIZE RANGE |
|---------------------|------------|-----------------------------|---|
| One-Bedroom and den | 138 | 64% | 65m ² - 75m ² (694ft ² - 834ft ²) |
| Two-Bedroom | 77 | 36% | 79m ² – 82m ² (849ft ² – 883ft ²) |

The developer is not proposing any three-bedroom units with this project and has stated that market conditions are such that households needing three bedrooms prefer and have better options in townhouse projects.

Key Considerations

This proposal is brought forward for consideration of first and second reading. The key project elements for Council consideration at this time are:

- alignment of the proposed land use in relation to the OCP land use designation;
- the affordable housing component the project; and
- the current building locations/setbacks and unit mix.

These three key items are expanded on below:

Alignment with OCP Mixed Employment Designation

The following are the highlights regarding the employment floor area in the project:

- permitted uses that allow for a mix of light industrial, commercial, and retail service uses;
- a minimum of 2,719.6m² (29,274ft²) at occupancy, up to a maximum of 2,849.7m² (30,674ft²) of employment space, including second floor (mezzanine) office space, representing a minimum of 14.5% of total saleable floor area of the project;
- over-height ceilings for the units, which have allowed for the inclusion of mezzanine;
- units with greater depth than standard units; and
- projected number of jobs ranging from 93 to 144.

The OCP's Mixed-Employment land use designation applies to the south side of Murray Street between Mary Street and Electronic Avenue. This land use category intends for a combination of uses, including light industrial, commercial, office, and residential. Building forms up to six storeys are permitted provided that the first storey consists of employment-related non-residential uses, and second-storey job space is strongly encouraged where feasible and where such uses are compatible with adjacent residential uses.

The Council Strategic Plan priorities associated with economic prosperity highlight:

- 1) supporting the growth of businesses and business neighbourhood development; and
- 2) attracting well-paid jobs and new businesses in key sectors. The intent of the OCP's Mixed-Employment designation is to encourage substantial employment and a crossover between traditional industry and other business activities. The proposed zone specifically mixes commercial and industrial uses to address this vision for the area.

The proposed Draft CD Zoning Bylaw in **Attachment 9** includes a mix of low-impact industrial and commercial uses. This list of land uses has been extensively reviewed by the applicant and staff, and is based on a consensus of a mix of employment-creating land uses that is expected to be compatible with the residential use in the remainder of the project. In staff's view, it is also reflective of the intent of the Mixed Employment designation in the OCP.

Affordable Housing options

The application pre-dated the March 2020 Interim Affordable Housing Policy, which would have requested 15% of the units to be below market rental housing. Previously, the project did not include any designated affordable housing options. The updated proposal designates building #1 (on Electronic Avenue) for rental housing. This amounts to 55 out of 215 units (26%). Moreover, this includes five below-market rental homes as defined in Interim Affordable Housing Policy, based on rents derived from BC Housing's Housing Income Limits (HILs) rates. All rental units are proposed to be managed by Mosaic in perpetuity. The addition of the proposed below market and market rental housing offers a diversification of the housing options in the project. Details of this component will be established through a Housing Agreement Bylaw.

Buildings – Locations/Setbacks

Building #1, designated for market rental and mixed employment uses, is located along Electronic Avenue and borders the rail corridor for CPR heavy rail as well as SkyTrain. This building, at a distance of 5.78m (approx. 19ft.) from the rail corridor, is much closer to the rail corridor than adjacent recent development, such as 50 Electronic Avenue (16m or approx. 53ft) and Klahanie (minimum setback of approximately 14m or 46ft.). It is noted that the orientation of the units in Building #1 are such that they primarily face east and west rather than south to the railway corridor.

An acoustic review has been completed and provides specific recommendations for the detailed building design to meet acceptable levels of livability from a noise and vibration perspective. A thermal comfort analysis has also been provided in support of this element. As part of any future Development Permit process and Building Permit, additional design work will be required to demonstrate that the project meets acceptable livability standards

Buildings – Unit Mix (Adaptable Design)

The developer is proposing 40% of the units to be adaptable units combined with aging-in-place features for the remaining 60% of units. The Zoning Bylaw requires a minimum of 50% of the units to be fully adaptable while not requiring any measures on the remaining units. The aging-in-place measures include blocking for future grab bar installation, pre-wiring for future power door opener, and providing wider than minimum doorways. However, other adaptability features such as strobes, switch heights, and bathroom fixture requirements are not included. The benefit of this alternative approach is that it extends some adaptability features to all units,

though ensuring that these features are included may add complexity to the Development Permit and Building Permit process. Staff are generally supportive of this flexible approach, which will see all units having the ability to allow for aging in place.

Buildings – Unit Mix (Dens/“In-Board” Bedrooms)

The developer is proposing larger than usual one-bedroom units as 135 of 138 of the one-bedroom units have a den and two bathrooms. Of these units, the applicant is proposing 100 units (47% of the total units) of Unit Type “H” which have dens that are 7.5m² (81ft²) in size without natural light from a window, and which could be considered as “in-board” bedrooms (bedroom without windows). While this allows for flexibility for different living situations such as people looking for home offices, it is likely that the units would mostly be used as a two-bedroom unit with one in-board bedroom.

The main concern with this layout is that the in-board bedroom limits direct access to natural light and fresh air. It is noted that one potential benefit within this project is that the in-board bedroom would be afforded additional mitigation from noise impacts from the rail corridor. In-board bedrooms are allowed under the Building Code, and the City has no specific bylaw or policy governing either in-board bedrooms or dens; however, staff have recommended that the proponent consider minimizing the number of unit layouts (e.g. Type H) that would lend themselves to being used as in-board bedrooms. The applicant has indicated this unit design is a trade-off between building dimensions that allow for better sunlight exposure to the living room and other bedrooms, and the desire to keep the price level of the units affordable. Moreover, the current design allows for larger outdoor amenity areas for the units.

Additional Matters

Traffic and Parking

As part of new development, OCP policies state that focus will be placed on improving Murray Street so that it is more accessible, safe, and attractive for pedestrians and cyclists. Required road improvements for this project include a new sidewalk, curb and gutter, buffered bike lane, and a cash contribution for 50% of the cost of signalisation of the Murray-Electronic intersection.

A Traffic Impact Assessment has been provided, and no major concerns have been identified. Parking for the three buildings is provided through two separated levels of parking in a parkade that extends throughout the site. Providing two separate entrances off Electronic Avenue has allowed the applicant to maximize usage of the parkade levels. One level will be reserved for the residential condominiums, the other level is for all the visitor parking, residential rental apartments, and the employment generating uses. This allows for clarity on the day-to-day management for the separate future strata Councils that will be managing the building.

On a project level, the project would offer 355 stalls parking beyond the 350 required under the Zoning Bylaw; however, the project is proposing offering additional parking for the employment uses, and slightly fewer for some of the residential units. Rates are set out in the draft CD Zoning Bylaw (**Attachment 9**).

Site Contamination

The site has historically been under industrial use, and this has left contamination in the soil and groundwater. This has been studied at different points in time, and it has been determined that the contamination primarily consists of hydrocarbons. The remediation of this contamination requires the removal of approximately 1,400m³ of soil and post-remediation monitoring. The City has reviewed the environmental reports and can accept the outlined remediation plans.

The provincial Ministry of Environment oversees remediation planning and results, and has provided written confirmation that rezoning, subdivision, and Development Permits may be considered by the City prior to completion of the remediation.

Development Potential of Neighbouring Property

One of the concerns that was raised through the review process was the potential future re-development of the property to the west. This property potentially would be located between this proposal and a tentative proposal for a development further west that could see Dallas/Slaughterhouse Creek be daylighted. The applicant has provided a high-level review (**Attachment 10**), which confirms that access can still be provided to this neighbouring property if the proposed development were to proceed as planned. The assessment also considered the recently installed traffic lights. The assessment suggests that the neighbouring property does have re-development potential as a freestanding site.

Sustainability Report Card

The completed Sustainability Report Card for the development proposal is included as **Attachment 11**, and the following table summarizes the scoring for the current proposal.

| Sustainability Pillar Application | Cultural | Economic | Environmental | Social | Overall Total |
|---|----------------------|-----------------------|-------------------------|-------------------------|------------------|
| 3015-3093 Murray Street | 45% (5 out of 11) | 81% (13 out of 16) | 61% (32.5 out of 53) | 65% (24.5 out of 38) | 64% |

Based on the provision of a significant amount of commercial and low-impact light-industrial space, the application scores well under the economic sustainability section of the report card. The current proposal includes a commitment for Step Code Level 3 for the residential portions and Step Code Level 2 for other uses. This follows the Step Code Policy for rezoning applications from 2020, as well as the Building Bylaw requirements for 2021 – 2024. In addition, it is noted that the applicant is proposing 50 market-rental units and five below-market rental units, as well as 40% of units being adaptable and the other 60% having features that allow for aging-in-place. All residential units will have access to a total of 3,177m² (34,196ft²) of outdoor amenity space located above the parkade podium.

Other Option(s)

If Council would prefer that the applicant consider substantial changes to the project, staff would suggest limiting the reading of the bylaw to first reading, combined with recommendations that identify specific Council direction.

Financial Implications

Community Amenity Contributions (CACs)

The CAC amount will be established at the development permit stage once the final residential floor area is confirmed and prior to the adoption of the rezoning bylaw. Based on the proposed residential floor area of 18,296m² (196,934ft²) at \$6.00/ft², the contribution would be approximately \$1,181,604. Of that total, approximately \$393,868 would be directed to the Affordable Housing Reserve Fund, and the remaining \$787,736 would go towards general community amenities.

Public Art Contributions

The applicant has committed to providing a contribution to the Public Art Reserve Fund, which will be based on 0.5% of the cost of construction in accordance with the Public Art Policy. Based on a construction cost estimate of approximately \$39,000,000, the contribution would be \$195,000.

Communications and Civic Initiatives

In accordance with the City's Public and Stakeholder Consultation for Major Development Projects or Area Plans policy, opportunity for input from the general public and specific stakeholder groups was provided at two online community information meeting facilitated by the applicant and attended by staff on November 18 and 19, 2020 to engage the public about the proposal and solicit feedback. A website including information about the project was also available for two weeks prior to and following the information meeting. The general sentiment was positive. Questions were raised about setbacks, building materials, outdoor amenity, adaptability requirements, Commercial Retail Unit uses, and general construction noise and dust.

Should this rezoning application proceed to a Public Hearing, notices will be sent to adjacent properties within a 140m radius of the site and will be advertised in the local newspaper in accordance with the Development Approval Procedures Bylaw and the *Local Government Act*.

Council Strategic Plan Objectives

The proposal is consistent with the strategic priority of Community Evolution in the 2019-2022 Council Strategic Plan as it relates to the objective of ensuring that future community growth is carefully considered and strategically managed, consistent with the City's Official Community Plan.

Attachments

1. Location Map.
2. Excerpt from June 8, 2020 CPAC Meeting.
3. OCP Map.
4. Zoning Map.
5. Project Fact Sheet.
6. Architectural Renderings.
7. Architectural Plans.
8. Landscape Plans.
9. Draft Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 51, 2021, No. 3303 (3015-3093 Murray Street) (CD82).
10. Development Potential Neighbouring Property.
11. Sustainability Report Card.

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Report Approval Details

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|----------------------|---|
| Document Title: | 3015, 3033, 3093 Murray Street Zoning Amendment Application.docx |
| Attachments: | <ul style="list-style-type: none">- Attachment 1 - Location Map.pdf- Attachment 2 - Excerpt from June 8, 2020 CPAC Meeting.pdf- Attachment 3 - OCP Map.pdf- Attachment 4 - Zoning Map.pdf- Attachment 5 - Project Fact Sheet.pdf- Attachment 6 - Architect Renderings.pdf- Attachment 7 - Architectural Plans.pdf- Attachment 8 - Landscape Plans.pdf- Attachment 9 - Draft CD Bylaw.pdf- Attachment 10 - Development Potential Neighbouring Property.pdf- Attachment 11 - Sustainability Report Card.pdf |
| Final Approval Date: | Mar 29, 2021 |

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - Mar 24, 2021 - 4:47 PM

Dorothy Shermer, Corporate Officer - Mar 25, 2021 - 2:34 PM

Rosemary Lodge, Manager of Communications and Engagement - Mar 26, 2021 - 8:10 AM

Paul Rockwood, General Manager of Finance and Technology - Mar 27, 2021 - 6:49 PM

Tim Savoie, City Manager - Mar 29, 2021 - 5:11 AM