



City of Port Moody

Report/Recommendation to Council

Date: May 12, 2021
Submitted by: Community Development Department – Development Planning Division
Subject: Rezoning (Mixed Use) – 2025 St. Johns Street (Marcon)

Purpose

To present for consideration of first and second reading a Zoning Amendment Bylaw for a six-storey mixed-use development, with 680m² (7,329ft²) of commercial space, 242 residential units, and the dedication of 1,234.7m² (13,291ft²) of riparian area (South Schoolhouse Creek) to the City.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 54, 2021, No. 3315 (2025 St. Johns Street) (CD85) be read a first time as recommended in the report dated May 12, 2021 from the Community Development Department – Development Planning Division regarding Rezoning (Mixed Use) – 2025 St. Johns Street (Marcon);

AND THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 54, 2021, No. 3315 (2025 St. Johns Street) (CD85) be read a second time;

AND THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 54, 2021, No. 3315 (2025 St. Johns Street) (CD85) be referred to a Public Hearing.

Executive Summary

A rezoning application was submitted by Marcon for the property at 2025 St. Johns Street in September 2019. A location map of the site is included as **Attachment 1**. The application was first reviewed at Community Planning Advisory Committee (CPAC) in November 2019 and by Council at a Committee of the Whole (COTW) meeting in June 2020. In response to staff comments and input from Council and CPAC, 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
Riparian Protection and Enhancement Area (RPEA)	RPEA setback per the Zoning Bylaw	RPEA setback per the Zoning Bylaw and dedication of that 1,234.7m ² (13,291ft ²) to the City	RPEA dedication
Riparian Transition Area (RTA)	70m ² of encroachment for parkade, balconies, and patios	70m ² of encroachment for parkade	Above grade encroachment for balconies and patios removed
Total Below Market Rental	0	4 (20% below market) in perpetuity	+4 units
Total Market Rental	22 for 20 years	20 for 20 years	-2 units
Commercial Floor Area	743m ² (8,000ft ²)	680m ² (7,329ft ²) due to requested changes in grading on the street frontage	- 63m ²
Parking Spaces	322 spaces compared to the Zoning Bylaw requirement of 330	333 spaces compared to the Zoning Bylaw requirement of 330	+11 spaces

In addition to the above noted changes, there have also been changes to the building design on the corner of St. Johns Street and Albert Street, in order to make that corner more of a feature. As part of this, the standalone art piece has been eliminated in favour of a more significant installation on the building façade (St. Johns Street frontage).

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

- the dedication of a Riparian Protection and Enhancement Area (RPEA) area, which exceeds the 15m Zoning Bylaw requirement, to the City as park. The additional 220m² (2,306ft²) of RPEA will be within the area that would typically be part of the Riparian Transition Area (RTA), with the classification of it as RPEA providing greater protection. This RPEA area to be dedicated totals 1,234.7m² (13,291ft²) and includes portions of the channel and northern bank of South Schoolhouse Creek;
- changes to the above-grade conditions within the proposed Riparian Transition Area (RTA) encroachment, result in the encroachment now being limited to an underground structure for a 70m² (753ft²) portion of the below-grade parkade. Though of a limited benefit biologically, there will be no further encroachments above grade for the building, projections and patios;
- the overall number of rental units has been increased from 22 to 24. This component now includes four below market-rental units in perpetuity, with rents 20% below CMHC averages for the Tri-Cities. The market rental units will remain for rental for a period of 20 years; and
- parking will meet and exceed the overall Zoning Bylaw requirement; and

- the amount of commercial space has been reduced slightly from 743m² (8,000ft²) to 680m² (7,329ft²) due to changes made to the grading on the street frontage. The amount of commercial space proposed for this project is based on consideration of the viability of such space at this location.

Consideration of the above items as well as other details of the proposal are discussed in more detail in the main body of the report below. In order to accommodate the land dedication component, a Comprehensive Development (CD) Zone rather than a standard Mixed-Use (CRM) zones is being used. The draft CD Rezoning Bylaw is included as **Attachment 2**. On the basis of the changes made to the proposal as part of this resubmission, staff recommend first 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 September 19, 2019;
- CPAC consideration of the application took place on November 5, 2019;
- a Community Information Meeting was held on February 13, 2020; and
- Early Input was provided at COTW on June 16, 2020.

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

CPAC19/016

THAT staff and the applicant consider the comments provided during the Community Planning Advisory Committee meeting held on November 5, 2019 regarding the proposed project presented in the report dated October 28, 2019 from the Planning and Development Department – Development Planning Division regarding 2025 St. Johns Street.

AND THAT the Chair of the Community Planning Advisory Committee prepare a report addressing each of the specific items identified by CPAC at its 5 November 2019 meeting concerning this proposal and that the Chair present this report to Council at the Council Meeting in which this proposal will be brought forward for consideration.

Attachment 3 provides an excerpt of the CPAC minutes.

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

CW20/061

THAT staff and the applicant consider the comments provided during the Committee of the Whole meeting held on June 16, 2020, regarding the rezoning application presented in the report dated April 28, 2020, from the Planning and Development Department - Development Planning Division regarding Early Input - Rezoning Application (Mixed-Use) - 2025 St. Johns Street (Marcon Albert (GP) Ltd.).

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 environmentally sensitive areas).

Discussion

Property Description and Neighbourhood Context

The subject site at 2025 St. Johns Street, as shown on the Location Plan (**Attachment 1**), is approximately 8,088.1m² (97,059ft²) in area and has significant grade changes on the western portion of the site, before more gradually sloping down towards the northeast corner of the property. South Schoolhouse Creek runs through the southeast portion of the property. The subject property is currently vacant, but was the site of the former Barnet Hotel.

The OCP designates the subject lands as Mixed Use – Moody Centre; the site is also part of the Westport Evergreen Line Sub-Area, which permits commercial and residential development of up to six storeys in height. The site is located within Development Permit Area 2: Moody Centre, which regulates the form and character of multi-family residential developments. The site is also located within Development Permit Area 4: Environmentally Sensitive Areas related to South Schoolhouse Creek and an Environmentally Sensitive Area located on the western portion of the property. The subject lots are presently zoned Automobile Sales and Leasing (C5), with a site-specific allowance for a Licensee (liquor) Retail Store on the subject property.

Surrounding development includes:

- North: Medium Density Townhouse Residential (RM4) lots developed as three-storey apartment buildings and Automobile Sales and Leasing (C5) occupied by Craftsman Collision. These properties are respectively designated Multi-Family Residential and Mixed Use – Moody Centre in the OCP;
- East: Single Detached Residential (RS1) lots, including a vacant lot and a lot developed with a single-family home. These properties are respectively designated Multi-Family Residential and Single-Family Low Density in the OCP;
- South: Undeveloped, forested land zoned Civic Institutional (P1) with South Schoolhouse Creek running through the properties and Port Moody Secondary School beyond that to the south. These properties are designated Single-Family Low Density in the OCP; and
- West: Formerly, Single Detached Residential (RS1) lots that were also designated Mixed Use – Moody Centre in the OCP. As part of an application by Bold Properties, these lots were recently re-designated to Multi-Family Residential, as that project included no commercial space, and rezoned to Six-Storey Apartment Residential (RM8) for a six-storey multi-family project.

The OCP, Zoning designation, and Environmentally Sensitive Area maps are included as **Attachments 4, 5, and 6**.

The development proposal consists of:

- six-storey mixed-use building over an underground parkade;
- Floor Area Ratio of 2.24 before land dedication and 2.64 following dedication;
- a total of 242 residential units, with a unit mix of 119 studio units, 49 one-bedroom units, 70 two-bedroom units, and four three-bedroom units;
- 20 market rental units, secured for a period of 20 years, and four (20% below market) rental units secured in perpetuity;
- 680m² (7,329ft²) of commercial space, located at the northeast corner of the development.
- 333 vehicle parking spaces compared to the Zoning Bylaw requirement of 330 and 376 bicycle parking spaces compared to the required 364;
- a public art component, with a proposed budget of \$200,000, that is incorporated within the building façade on the St. Johns Street frontage;
- 942.8m² (10,148ft²) of outdoor amenity space and 222.7m² (2,397ft²) of indoor amenity space;
- the project will target Step Code 3 or Step Code 2 with a low carbon energy system; and
- protection and restoration of the South Schoolhouse Creek riparian area, with the RPEA portion consisting of 1,234.7m² (13,291ft²) being dedicated to the City as park and rezoned to Civic Institutional (P1). The RTA and also High Value Environmentally Sensitive Area (i.e. mixed forest) will also be enhanced and protected via covenant. The requested variance for the 70m² (753ft²) portion of RTA, will be incorporated as part of the setbacks, within the CD Bylaw (**Attachment 2**).

The applicant is proposing to rezone the subject site from Automobile Sales and Leasing (C5) to Comprehensive Development Zone 85 (CD85) and Civic Institutional (P1) for the South Schoolhouse Creek RPEA portion of land that is to be dedicated to the City. Reduced architectural plans and landscape plans are included as **Attachment 7** and **8**, and the Draft Rezoning (CD) Bylaw as **Attachment 2**.

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:

- the current building locations/setbacks in relation to South Schoolhouse Creek;
- the affordable housing component of the project; and
- the commercial component proposed for the project.

These three key items are expanded on below:

South Schoolhouse Creek and RPEA dedication

A significant element of the proposal is the enhancement of the portion of the site that lies within the setback area of South Schoolhouse Creek, which was previously significantly impacted by the former Barnet Hotel. South Schoolhouse Creek provides habitat connectivity from the marine foreshore to upland forested areas and is an important stream for salmon. Significant investment has been made by all levels of government to protect and enhance this creek,

including riparian area protection, instream fish habitat enhancement, and ongoing efforts of local stewardship groups to enhance resident fish populations. The Zoning Bylaw setback for South Schoolhouse Creek requires a 20-metre Riparian Management Zone measured from the top of bank, which includes:

- a 15m RPEA, a 'no touch/no build' area that should not be impacted by any construction-related activities (apart from enhancement work); and
- a 5m RTA, an area where certain features or activities may be permitted, including construction-related activities (e.g., work zones), landscaping, stormwater management, and trails.

The proposal is requesting a setback variance to the RTA for a 70m² (753ft²) portion of the parkade at the southwest corner of Building 2 (South). A map detailing the current condition and proposed condition is included in **Attachment 9**. This map illustrates: the current site condition, which includes asphalt/concrete covering an extensive area of the RPEA and RTA; and the proposed condition which shows the 70m² (753ft²) encroachment area for the parkade and would see the enhancement of the RPEA and the RTA areas.

Since the application was reviewed by CPAC and COTW, the application has been amended in order that the below-grade parkade is now the only portion of the building that encroaches into the RTA. Above-grade encroachments for patios and projections (balconies and roof overhangs) have been eliminated. Significantly, the application now proposes an RPEA portion of the site, consisting of 1,234.7m² (13,291ft²), that will be dedicated to the City as park, securing its long-term protection. The proposed RPEA portion now extends beyond the 15m Zoning Bylaw requirement, to include an additional 220m² (2,306ft²) of RPEA within the area that would typically be part of the RTA. This additional RPEA portion is seen as a positive element as its classification provides greater protection than that of the RTA. The ESA portions of the site to the west will also be enhanced and, along with the RTA, will be protected by an associated covenant. Based on the above, staff are supportive of this element of the project and the variance for 70m² (753ft²) encroachment into the RTA, which is reflected in the setbacks set out in the CD Bylaw (**Attachment 2**).

The dedication of the South Schoolhouse Creek RPEA land to the City has implications for the overall FAR of the development, which is 2.24 before land dedication and 2.64 following dedication. For this reason, a CD zone is being proposed as the applicable CRM2 zone has a maximum FAR of 2.5. It is noted that densities over 2.5 in the Zoning Bylaw are typically subject to a density bonus, however, per the bylaw, *"the City may, at its option, elect to accept all or any portion of the amenity contribution to be received for the density bonus in the form of amenities that are identified in or consistent with the goals and objectives set out in the City's Official Community Plan"*. Further to this, the OCP specifically identifies environmental enhancements as one such amenity. Given the dedication of the RPEA and related enhancement and restoration of the RPEA, RTA, and ESA areas on the site, staff feel that this meets the intent of the Zoning Bylaw and OCP policy, meaning that the project would not be subject to any density bonus requirements, as reflected in the CD Bylaw (**Attachment 2**).

In addition, the proponent is pursuing Salmon Safe Certification for the project. Salmon Safe provides a third-party verification that the project is being designed and built in accordance with

environmentally friendly management practices that minimize impacts on water quality and aquatic biodiversity.

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 24 of the units as rental, which amounts to 10% of total units. Moreover, this includes four below-market rental homes, secured in perpetuity, with rents 20% below CMHC averages for the Tri-Cities. The 20 market-rental units are proposed to be secured only for a period of 20 years. The addition of the proposed below market and market rental housing offers a diversification of the housing options in the project, though it is noted that, on a number of recent projects, Council has expressed a desire to have such units secured in perpetuity. Generally, securing units in perpetuity is the recommended approach. Details of this component will be established through a Housing Agreement Bylaw.

Commercial Space

The project includes 680m² (7,329ft²) of commercial space, located at the northeast corner of the development, representing approximately 4% of the total saleable floor area of the project. The site is designated as Mixed-Use – Moody Centre in the OCP. In reviewing the application, staff have considered the viability of commercial space at this location, and the challenges of the grade changes across the site in terms of including retail fronting both St. Johns Street and Albert Street. Based on this review, it is felt that the corner location is the most viable location for commercial space as part of the development. It is also noted that the Bold Properties development to the west was also designated Mixed-Use – Moody Centre in the OCP and, as part of the redevelopment, the OCP land use designation was changed to Multi-Family Residential with no commercial space being included.

Additional Matters

Transportation

Vehicle access to the site and underground parking is provided from Albert Street. As discussed above, the project conforms with Zoning Bylaw requirements, providing 333 vehicle parking space and 376 bicycle parking spaces. A loading space for the development will be allowed for on the Albert Street frontage, as well as two passenger vehicle-sized loading spaces within the parkade. Frontage improvements will include a Multi-use pathway along St. Johns Street and related public realm improvements, which also include Albert Street, with seating fronting the commercial area and bike racks for short-term bike parking.

Sustainability Report Card

The completed Sustainability Report Card for the development proposal is included as **Attachment 10**, and the following table summarizes the scoring for the current proposal.

Sustainability Pillar Application	Cultural	Economic	Environmental	Social	Overall Total
2025 St. Johns Street	60% (6.5 out of 11)	54% (8.5 out of 16)	80% (42 out of 53)	57% (21.5 out of 38)	67%

Based on the enhancement of the riparian area adjacent to South Schoolhouse Creek and the on-site ESA, the application scores well in the environmental section of the report card. The current proposal includes a commitment for either Step Code Level 3 or Level 2 with a low-carbon energy system, which meets the City's Corporate Policy for applications received in 2020. In addition, it is noted that the applicant is proposing 20 market-rental units and four below-market rental units. A public art element will be incorporated into the St. Johns Street façade. A limited amount of commercial space will be provided at the corner of St Johns Street and Albert Street. All residential units will have access to a variety of amenity spaces both indoor and outdoor, including rooftop deck amenity spaces.

Concluding Comments

Overall, staff are supportive of the application as proposed. The application conforms with Official Community Plan policies in relation to the properties Mixed-Use – Moody Centre land use designation. The commercial space provided at the corner of St. Johns Street and Albert Street, though proportionally a relatively small element, is seen as justified based on the viability of commercial space at this location and the challenges with grade changes across the rest of the site. Significantly, the project proposes enhancement of the riparian area adjacent to South Schoolhouse Creek, including the dedication of the RPEA area to the City as park, with a relatively small variance request related to the RTA for the below grade parkade. Additionally, from a housing perspective, the application proposes four below market rental units in perpetuity and 20 market rental units. Even though staff recommend that the market rental units be in perpetuity, the application as proposed meets the intent of diversifying housing options in the community.

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 16,944.7m² (182,391ft²) at \$6.00/ft², the contribution would be approximately \$1,094,346. Of that total, approximately \$364,782 would be directed to the Affordable Housing Reserve Fund, and the remaining \$729,564 would go towards general community amenities.

Communications and Civic Engagement Initiatives

In accordance with the City's Public and Stakeholder Consultation for Major Development Projects or Area Plans policy, an opportunity for input from the general public and specific stakeholder groups was provided at the community information meeting held on February 12, 2020 at the Old Mill Boathouse from 6:00-8:00pm. Should the application proceed through the approval process, there will be an additional opportunity for community input at a Public Hearing.

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.

Attachment(s)

1. Location Map.
2. Draft Rezoning Bylaw.
3. CPAC Minutes – November 5, 2019.
4. OCP Designation Map.
5. Zoning Map.
6. Environmentally Sensitive Areas Map.
7. Architectural Plans.
8. Landscape Plans.
9. Riparian Area Plan – Current and Proposed.
10. Sustainability Report Card.

Report Author

Kevin Jones, MCIP, RPP
Senior Development Planner

Report Approval Details

Document Title:	Rezoning (Mixed Use) – 2025 St. Johns Street (Marcon).docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Location Map.pdf- Attachment 2- Draft Rezoning Bylaw.pdf- Attachment 3 - CPAC minutes - November 5, 2019.pdf- Attachment 4 - OCP Designation Map.pdf- Attachment 5 - Zoning Map.pdf- Attachment 6 - Environmentally Sensitive Areas Map.pdf- Attachment 7 - Architectural Plans.PDF- Attachment 8 - Landscape Plans.PDF- Attachment 9 - Riparian Area Plan - Current and Proposed.PDF- Attachment 10 - Sustainability Report Card.pdf
Final Approval Date:	Jun 1, 2021

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

André Boel, City Planner - May 19, 2021 - 1:15 PM

Kate Zanon, General Manager of Community Development - May 20, 2021 - 8:34 AM

Dorothy Shermer, Corporate Officer - May 27, 2021 - 2:26 PM

Natasha Vander Wal for Rosemary Lodge, Manager of Communications and Engagement - May 27, 2021 - 3:03 PM

Paul Rockwood, General Manager of Finance and Technology - May 30, 2021 - 1:26 PM

Tim Savoie, City Manager - Jun 1, 2021 - 2:11 PM