



City of Port Moody

Report/Recommendation to Council

Date: November 1, 2021
Submitted by: Community Development Department – Development Planning Division
Subject: OCP Amendment and Rezoning – 1142 Cecile Drive and 300 Angela Drive
(Edgar Development) – Bylaw Adoption

Purpose

To present for Council consideration adoption of Official Community Plan (OCP) Amendment Bylaw, No. 3305 and Zoning Amendment Bylaw, No. 3306, and endorsement of the related Development Agreement, to facilitate the development of a mixed-use project on the Woodland Park property at 1142 Cecile Drive and 300 Angela Drive.

Recommended Resolution(s)

THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 31, 2021, No. 3305 (1142 Cecile Drive and 300 Angela Drive) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 52, 2021, No. 3306 (1142 Cecile Drive and 300 Angela Drive) (CD83) be now adopted as recommended in the report dated November 1, 2021 from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning – 1142 Cecile Drive and 300 Angela Drive (Edgar Development) – Bylaw Adoption;

AND THAT the Development Agreement be endorsed for execution;

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required to register the Development Agreement and to release charges related to the current no-build covenant registered as CA7792718.

Background

The OCP amendment and rezoning application was submitted in December 2019. The initial submission was considered by the Community Planning Advisory Committee on March 3, 2020, and by Council at a Committee of the Whole Meeting on April 21, 2020.

An updated proposal was then considered at Council at the March 23, 2021 Regular Council Meeting, with the OCP Amendment Bylaw and Rezoning Bylaw receiving First Reading, followed by Second Reading and referral to Public Hearing at the June 22, 2021 Regular Council Meeting.

The Second Reading Report is provided as **Attachment 1**. Following the Public Hearing on July 20, 2021, the following resolution was passed:

RC21/367-368a-b

THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 31, 2021, No. 3305 (1142 Cecile Drive and 300 Angela Drive) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 52, 2021, No. 3306 (1142 Cecile Drive and 300 Angela Drive) (CD83) be read a third time as recommended in the memo dated July 12, 2021 from the Legislative Services Division regarding OCP Amendment and Rezoning – 1142 Cecile Drive and 300 Angela Drive – Third Reading;

AND THAT the Development Agreement include the updated Community Amenity Contribution amounts;

AND THAT staff be directed to report back to Council as soon as possible with potential funding options for a third SkyTrain station (including consideration of a local area development levy, local area property tax levy, provincial grants, debt financing, etc.);

AND THAT Council request a briefing from TransLink staff regarding feasible location options for a third SkyTrain station west of Moody Centre Station, including high-level cost estimates to be used in the aforementioned funding analysis.

The third and fourth parts of the above resolution have been addressed separately, and this report follows up specifically on the first two parts.

Development Proposal Recap

Briefly, the proposal consists of:

- 1,861 residential units, up to 2,053 units with proposed density transfer, consisting of a minimum of 328 below-market rental units and 132 market-rental units;
- 1,096m² (11,800ft²) of childcare space to accommodate approximately 93 spaces;
- 1,765m² (19,000ft²) of local commercial floor area;
- an overall Floor Area Ratio of approximately 1.80 or 1.96 after density transfer;
- two parks ('Cecile Bend' and 'The Hub') and trails, approximately 1.22ha (3.0ac) in area;
- an internal perimeter path following the edge of the Environmentally Sensitive Area;
- dedication of the two parks and Environmentally Sensitive Areas (urban forests and riparian areas) to the City;
- building heights ranging from six to a maximum of 17 storeys, or up to 19 storeys after the density transfer, in a terraced form in order to limit the impacts of the heights in conjunction with the sloping grades on the east side of the site;

The second reading report is included as **Attachment 1**.

OCP Amendment Bylaw, No. 3305, and Rezoning Bylaw No. 3306

The draft OCP amendment Bylaw and Rezoning Bylaw are included as **Attachment 2** and **Attachment 3** respectively.

OCP Amendment Bylaw amends the OCP, as follows:

- the addition of the following land use designation:
“MIXED USE – WOODLAND PARK – The Mixed Use – Woodland Park designation applies to the redevelopment of the Woodland Park site, illustrated on Map 1 – Woodland Park, for multi-family residential purposes with complementary commercial uses and park spaces.”;
- amending the existing land use designation from “Multi-Family Residential” to the new “Mixed Use – Woodland Park” category;
- amending existing Policy 1 of section 15.1 regarding the retention of the existing land use and character of several neighbourhoods, in order to allow for redevelopment of the Woodland Park site;
- establishing new policies specific to Woodland Park; and
- the addition of Development Permit Area design guidelines to guide the development of the Woodland Park site.

Rezoning Bylaw No. 3306 proposes the rezoning of the lands to Comprehensive Development Zone 83 (CD83), which establishes the following regulations by development area/phase:

- permitted uses;
- floor area ratio;
- minimum floor areas for below-market rental and market rental housing;
- building heights;
- building setbacks;
- density transfer provisions associated with the Highview Place property; and
- parking provision, including reductions where supported by Transportation Demand Management measures.

Discussion

Development Agreement

Following Third Reading, the applicant and staff have drafted the Development Agreement based on the Term Sheet that was discussed earlier in the process. The Development Agreement is intended to provide sufficient details and requirements which, in conjunction with the OCP design guidelines and Comprehensive Development Zone 83, will govern the development of the Woodland Park site through the subsequent Development Permit process. Key elements of the Development Agreement include:

1. Parameters around rental unit provision, including the timing of Housing Agreement Bylaws prior to issuance of any Development Permits, with required agreements for:
 - a. the below-market rental housing (BC Housing), which shall include not fewer than 328 units, with 30% allocated towards accommodating existing tenants wishing to remain in Woodland Park and the other 70% for below-market rental housing at reduced rates as much as is possible, noting that the intent is that the building(s) would operate with no on-going subsidy;
 - b. the market rental housing (Edgar Developments – not fewer than 132 units); and
 - c. no rental restriction for all strata units (Edgar Developments).
2. Provisions associated with the Tenant Assistance Plan in relation to tenant relocation and, specifically, guarantees around ensuring those existing residents who wish to move into the BC Housing units can be accommodated, or, if timing does not work, that Edgar Development will work to secure units for tenants within the Tri-Cities on a temporary basis, with them then being able to move into the BC Housing units once they are built;
3. Parameters and timing of the transfer of the Highview Place parcel to the City and related density transfer;
4. Parameters and timing for the provision of the Hub Park (Phase 3), Cecile Bend Park (Phase 5), and trail network, including the dedication of Cecile Bend Park to the City, and provision of statutory rights of way for the Hub Park and for interior pathways allowing for public access for site permeability;
5. Parameters governing the restoration, enhancement, protection, and, as applicable, dedication to the City of the Environmentally Sensitive Area, Riparian Protection and Enhancement Area, and Riparian Transition Area;
6. Confirmation of the commitment to provide Public Art on the lands with an overall value of not less than \$2,850,000;
7. Confirmation of the commitment to pay a partial Community Amenity Contribution (CAC), based on the City's related policy (limited to \$4 per square foot), resulting in CAC of \$6,757,760. This relates to the "*updated Community Amenity Contribution amount*" referenced in the July 20 Council resolution;
8. Clarity around the requirement to pay Development Cost Charges (DCCs), including an early payment option already provided under BC legislation and the provision of a credit in the amount of \$2,000,000 for the contribution of park space in excess of the 5% parkland required under the *Local Government Act*.
9. Details of requirements associated with each of the six individual phases of development (Phase 1, 2, 3 4a, 4b and 5), including:
 - a. The establishment of a road network, including parking areas and laneways and the necessary statutory rights of way to service them.
 - b. Details around the provision of the Highview Place Collector Road, including requirements to design, construct, and build the road, which will also include a signalized intersection at Barnet Highway and Clarke Street, as well as cycling and pedestrian facilities. The location, either that secured by the developer, or an alternate location secured by the City, will need to be determined by January 1, 2024, as this date will govern the timing of the road construction. The developer shall pay for the full cost of the road construction based on the cost of

the location currently secured by the by the developer. The City would be responsible for any additional cost of the road beyond the equivalent cost of the Option A alignment;

- c. Servicing upgrades, including roadworks, sanitary sewer, and storm sewer;
 - d. ESA, RPEA, and RTA improvements, restoration features, and enhancements;
 - e. Details of Transportation Demand Management measures to be employed;
 - f. The provision of Hub and Cecile Bend park space and related improvements;
 - g. Trails and interior pathways/nodes with improvements;
 - h. Provision and timing of a minimum of 1,765m² of retail floor area, including the requirement that a minimum of 50% of that space be assigned to neighbourhood serving Convenience Retail use;
 - i. Provision and timing of a minimum of 1,096m² of Child Care Space;
10. Commitments around Step Code (limited to regular Building Bylaw requirements) and tree retention; and
11. The attachment of a number of Schedules, including:
- a. the Development Plan;
 - b. Phasing Plan;
 - c. Parks, Trails, Interior Pathways/Nodes, and Amenities;
 - d. Street, Laneway, and Collector Road Locations;
 - e. Environmentally Sensitive Areas including RPEA, RTA, and Land Dedication Areas;
 - f. Works Servicing Concept Plan;
 - g. Tree Survey;
 - h. Tenant Assistance Plan;
 - i. Sketch of Collector Road Option A, Density Transfers and Lands to be Dedicated to City;
 - j. Transportation Demand Management (TDM) Measures

The Development Agreement (**Attachment 4**) and Schedules (**Attachment 5**) are attached for consideration of endorsement by Council. The Development Agreement would then be registered on the title of the properties as a no-build covenant, replacing an existing no-build covenant currently registered on title, in order to ensure that all matters are dealt with fully as part of the Development Permit process for each phase.

Other Option(s)

THAT adoption of City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 31, 2021, No. 3305 (1142 Cecile Drive and 300 Angela Drive) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 52, 2021, No. 3306 (1142 Cecile Drive and 300 Angela Drive) (CD83) be postponed until staff report back on the following requested changes to the bylaws and/or Development Agreement: ...

In relation to the alternative option above, staff notes that given the fact that a Public Hearing has already been held for both bylaws, substantial changes to the proposal at this point in the process will require holding a second Public Hearing.

Financial Implications

Financial contributions associated with this project include cash contributions and in-kind provision of amenities. Such contributions include:

- provision of land to BC Housing, earmarked for 328 below-market rental units;
- The purchase of property on Highview Place and the construction of the new road connection to this neighbourhood, paid for by the Woodland Park development;
- provision of the remainder of the Highview Place property to the City, the use of which is to be determined, but may include a potential site for a new Fire Hall #2;
- provision of land for two neighbourhood parks, a trail network, and ESA, the majority of which will be dedicated to the City, with Development Cost Charges credits in the amount of \$2,000,000 for the contribution of park space in excess of the 5% parkland required under the *Local Government Act*;
- payment of partial CACs, per the City's related policy (limited to \$4 per square foot), resulting in a cash contribution of \$6,757,760;
- there will be no Density Bonus payments required as the overall Floor Area Ratio of the site is below FAR 2.5;
- payment of DCCs as set out in the City's Development Cost Charges Bylaw and Development Cost Charges Reduction Bylaw, including an early payment option. It is noted that currently no DCCs are applicable for development over six-storeys, outside of the Transit Oriented Development Area. Therefore, an equivalent value has been agreed to in the form of additional community amenities and contributions of approximately \$6,200,000.

Communications and Civic Engagement Initiatives

In accordance with the City's Public and Stakeholder Consultation for Major Development Projects or Area Plans policy, the applicant has held a number of engagement events to ensure that the existing residents in the development are aware of the application and the opportunities for tenant relocation. The full recap of these engagement events is as follows:

- July 11, 2019, 5:00-7:00pm (drop-in event);
- December 11, 2019 – residents-only, 5:30-6:30pm, and public 6:30-8:30pm (drop-in event);
- September 23, 2020, 12:30-1:30pm (online via Zoom Webinar);
- September 24, 2020, 10:00-11:00am and 5:30-6:30pm (online via Zoom Webinar); and
- July 5, 2021 12:00pm-1:30pm and 6:30pm-8:00pm (online via Zoom Webinar).

The Public Hearing for the OCP amendment Bylaw and Zoning Bylaw amendment Bylaw was held on July 20, 2021. In accordance with the City's Development Approval Procedures Bylaw, the required notification procedures were followed. This included signage posted on the subject property, notifications sent to property owners and occupants within 140m of the subject property, and advertisements placed in the Tri-City News. Additional notifications were sent to the expanded notification area as directed by Council previously. The minutes of the Public Hearing are included as **Attachment 6**.

Council Strategic Plan Objectives

The consideration of 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. Regular Council Report, June 22, 2021.
2. Draft OCP Amendment Bylaw, No. 3305.
3. Draft Zoning Amendment Bylaw, No. 3306.
4. Draft Development Agreement.
5. Development Agreement Schedules.
6. Public Hearing Minutes, July 20, 2021.

Report Author

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Report Approval Details

Document Title:	OCP Amendment and Rezoning – 1142 Cecile Drive and 300 Angela Drive (Edgar Development) – Bylaw Adoption.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Regular Council Report, June 22, 2021.pdf- Attachment 2 - Draft OCP Amendment Bylaw, No. 3305.pdf- Attachment 3 - Draft Zoning Amendment Bylaw, No. 3306.pdf- Attachment 4 - Draft Development Agreement.pdf- Attachment 5 - Development Agreement Schedules.pdf- Attachment 6 - Public Hearing Minutes, July 20, 2021.pdf
Final Approval Date:	Nov 29, 2021

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

André Boel, City Planner - Nov 26, 2021 - 10:38 AM

Kate Zanon, General Manager of Community Development - Nov 26, 2021 - 12:05 PM

Dorothy Shermer, Corporate Officer - Nov 26, 2021 - 1:41 PM

Rosemary Lodge, Manager of Communications and Engagement - Nov 26, 2021 - 3:25 PM

Paul Rockwood, General Manager of Finance and Technology - Nov 26, 2021 - 7:09 PM

Tim Savoie, City Manager - Nov 29, 2021 - 8:09 AM