



City of Port Moody

Report/Recommendation to Council

Date: July 25, 2022
Submitted by: Community Development Department – Development Planning Division
Subject: Development Variance Permit Application – 2809 Murray Street Patio (Rewind Brewery)

Purpose

To present for Council's consideration, a Development Variance Permit (DVP) application for the property at 2809 Murray Street (**Attachment 1**) to vary the Zoning Bylaw to permit a covered patio structure to encroach into the required front yard setback area.

Recommended Resolution(s)

THAT Development Variance Permit DVP00013 be approved as recommended in the report dated July 25, 2022 from the Community Development Department – Development Planning Division regarding Development Variance Permit Application – 2809 Murray Street Patio (Rewind Brewery);

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required to issue Development Variance Permit DVP00013.

Background

The COVID-19 Temporary Assistance Program for Businesses (TAPB) was developed through the City's Emergency Operations Centre and implemented in May 2020 to provide Port Moody businesses with a streamlined permitting process to access public property or use outdoor private property to support operations during the Covid-19 Pandemic. Businesses could establish or expand outdoor seating to compensate for loss of indoor capacity due to physical distancing guidelines, extend their retail footprint, or offer services. The program was extended from October 31, 2020 to October 31, 2021. On July 6, 2021 Council directed staff to establish a process to transition the Temporary Assistance Program for Businesses (TAPB) to a permanent solution. This application proposes a permanent covered patio for a new brewery business that was not a participant in this earlier process, and is located in the area referred to as "Brewers Row", which follows the trend of locating outdoor seating for brewery operations on Murray Street.

Discussion

Under the Light Industrial (M1) Zone, manufacturing businesses involving food and beverage products are allowed an outdoor customer seating area providing that it does not exceed 100% of the total indoor floor area permitted for retail space, and which is deemed to not generate any additional parking requirements. The applicant is also proposing to eventually extend the patio into a portion of the fronting road right of way, which would be subject to a different approval process. The overall patio area will include both covered (on-site) and uncovered (both on- and potentially off-site at a future date) patio space, totalling approximately 34.8m² (374.5ft²). For the covered patio component, the required front yard setback from the front property line is 6.0 metres. The proposal is to locate a covered patio structure in this front setback area 0.0 metres from the front property line, and therefore the applicant is requesting the following:

- to vary the front yard setback from 6.0 metres to 0.0 metres for a covered patio structure

The uncovered portion of the proposed patio located within the City road right of way is subject to a different process that will be presented to Council at a later date as part of a potential lease arrangement with the business owner. While supportive of this requested lease arrangement, City staff are currently working through the details of this lease agreement, which is anticipated to be brought forward for Council's consideration before years end. The draft Development Variance Permit is provided as **Attachment 2** and project plans are included as **Attachment 3**.

Design

The proposed patio will include an open wood deck patio with a perimeter wood fence that will eventually extend into the City road right of way if the patio extension is approved at a later date. A section of the patio within the subject property is proposed as a new covered patio structure on a new concrete pad, for which the variance is being requested. The structure will be built with hollow metal posts and beams up to +/- 4.48 metres (14.7 ft.) in height, to align with the building overhead doors. Roller shades will be located along the perimeter of the covered patio extending up to 3.2 metres (10.5 ft.) above grade, and safety glass panels above the transom beams to maintain an open feel to the covered patio area. The roof structure will be sloped up to the bottom of the building canopy with corrugated metal to match the building canopy. The covered patio does not affect the parking area or required parking on site. Overall, seating capacity in this enclosed area is 26 seats.

As the patio structure is under 46.5m² (500 ft²), a Development Permit for the form and character of the proposed building renovation is not required.

Other Option(s)

THAT Council deny issuance of Development Variance Permit DVP00013.

Financial Implications

There are no financial implications associated with this application. A proposed lease of a portion of the fronting road right of way will have financial implications that will be reported on at a later date.

Communications and Civic Engagement Initiatives

In accordance with the notification requirements in the City's Development Approval Procedures Bylaw and in the *Local Government Act*, notices for the proposed Development Variance Permit application were mailed to property owners and tenants within 140 metres of the subject site two weeks in advance of the Council meeting date.

Council Strategic Plan Objectives

This application aligns with the Council Strategic Plan Objective of Economic Prosperity by supporting the growth of businesses.

Attachment(s)

1. Location Map – 2809 Murray Street
2. Draft Development Variance Permit – 2809 Murray Street
3. Project Plans – 2809 Murray Street

Report Author

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Report Approval Details

Document Title:	Development Variance Permit Application DVP00013 - 2809 Murray Street (Rewind Brewery Patio).docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Location Map - 2809 Murray Street.pdf- Attachment 2 - Draft Development Variance Permit - 2809 Murray Street.pdf.pdf- Attachment 3 - Project Plans - 2809 Murray Street.pdf
Final Approval Date:	Sep 15, 2022

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

Kate Zanon, General Manager of Community Development - Sep 12, 2022 - 12:43 PM

Rosemary Lodge, Manager of Communications and Engagement - Sep 13, 2022 - 2:21 PM

Paul Rockwood, General Manager of Finance and Technology - Sep 13, 2022 - 2:43 PM

Tim Savoie, City Manager - Sep 15, 2022 - 6:55 AM