



City of Port Moody

Report/Recommendation to Council

Date: December 21, 2022
Submitted by: Community Development Department – Development Planning Division
Subject: Temporary Use Permit – 2326 Clarke Street (The Axfords)

Purpose

To present for Council consideration the issuance of a Temporary Use Permit (TUP) for a real estate office use located at 2326 Clarke Street.

Recommended Resolution(s)

THAT Temporary Use Permit TUP00020 be approved as recommended in the report dated December 21, 2022, from the Community Development Department – Development Planning Division regarding Temporary Use Permit – 2326 Clarke Street (The Axfords);

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required in support of this application.

Background

The Axfords Real Estate Firm has applied for a Temporary Use Permit (TUP) at 2326 Clarke St to allow for their real estate offices to operate out of 2326 Clarke Street for an initial period of three years. A location map is included as **Attachment 1**.

Discussion

Temporary Use Permit

A TUP is required to allow for temporary uses that are not permitted under a property's zoning as set out in the Zoning Bylaw. A TUP does not officially amend the land use of a property but allows for a specified activity to be conducted on the property for a limited time. A TUP may be issued for a period of up to three years and may be renewed once, at the discretion of Council, for an additional period of up to three years.

Official Community Plan (OCP)

The OCP states that TUPs will be considered by Council on a case-by-case basis within areas designated as Multi-family Residential, Mixed Use, Mixed Employment, General Industrial, Light Industrial, Parks and Open Space, and Public and Institutional. The OCP currently designates the subject property as Mixed Use – Moody Centre; the property is located within the Moody Centre Heritage Conservation Area (HCA).

Zoning

The subject property is currently zoned Light Industrial (M1), which allows for the following uses:

Principal Use	Secondary Use
i. Animal Daycare ii. Commercial Athletic and Recreation iii. Laboratory iv. Light Industrial v. Recycling Return Centre vi. Trade School vii. Veterinary Clinic	i. Artist Studio – Type B ii. Office iii. Retail iv. Unenclosed Storage v. Accessory Food Service

Furthermore, the conditions of Use under the M1 zone notes: *(a) Office use shall be limited to contracting, drafting, engineering, design, and surveying services.*

As office use is limited to a secondary use and does not allow for a real estate office, a TUP is requested by the applicants for a real estate office as a primary use at 2326 Clarke Street.

Property Description

The subject site is located mid-block on Clarke Street between Queens Street and Elgin Street, as illustrated in **Attachment 1**; the site plan will not be impacted by the proposed added use. Vehicular access to the site will remain from Clarke Street. The existing building currently on site is a protected heritage property built in 1910.

Project Description

The applicant is proposing to move their real estate office, which has been in a retail storefront in Suter Brook Village since 2010, to the protected heritage property at 2326 Clarke street. The property is currently being used by Paranoyd Sound Studios as a music studio. The intention is to use the first two floors of the heritage house for their business, and the top floor for storage. The gross floor area of the office space will be 205.7m² (2214 ft²), with surface parking accessed from Clarke Street. No exterior building or landscape changes on the property are being proposed at this time. The applicant is aware of the time limitation surrounding a TUP; they want to test the feasibility of this location prior to bringing a rezoning application before Council.

Servicing Improvements

As part of the applicant's submission, staff requested that the service cards, which record the details of water, sanitary sewer, storm sewer service connections of each property, be updated to reflect the connection locations and current conditions for the property. Through the applicant's submission, staff noted that the site's current services do not meet the municipal standards. As a condition of the TUP, the applicant will be required to upgrade the connections to include inspection chambers at the property line for the sanitary and storm sewers, as well as a domestic water meter upgrade to WM-2 standard. Prior to permit issuance, a refundable security in the amount of \$12,000 will be required from the applicant to secure that the required upgrades be completed. This security will be returned when staff notes that the work has been completed to City standards.

The draft Temporary Use Permit is included in **Attachment 2**.

Other Option(s)

1. THAT Temporary Use Permit TUP00020 be amended as directed by Council.
2. THAT Temporary Use Permit TUP00020 be denied.

Financial Implications

There are no financial implications associated with the recommendations in this report.

Communications and Civic Engagement Initiatives

In accordance with the City's Development Approval Procedures Bylaw, 2011, No. 2918, a notification sign was posted on the property, and notification of TUP consideration at the January 10, 2022 Regular Council meeting was mailed to all owners and occupants within 140m of the subject property.

Council Strategic Plan Objectives

The proposal is consistent with the goals of the 2019-2022 Council Strategic Plan as they relate to Community Evolution and ensuring community growth is carefully considered under the Official Community Plan. Furthermore, it relates to Economic Prosperity and supports the growth of businesses and business neighbourhood development.

Attachment(s)

1. Location Map – 2326 Clarke Street.
2. DRAFT – Temporary Use Permit – 2326 Clarke Street.

Report Author

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Development Planner

Report Approval Details

Document Title:	Temporary Use Permit - 2326 Clarke Street (The Axfords).docx
Attachments:	- Attachment 1 - Location Map - 2326 Clarke Street.pdf - Attachment 2 - DRAFT - Temporary Use Permit - 2326 Clarke Street.docx
Final Approval Date:	Dec 23, 2022

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

Kate Zanon, General Manager of Community Development - Dec 21, 2022 - 2:45 PM

Stephanie Lam, City Clerk and Manager of Legislative Services - Dec 21, 2022 - 2:59 PM

Lindsay Todd, Acting Manager of Communications and Engagement - Dec 21, 2022 - 3:31 PM

Paul Rockwood, General Manager of Finance and Technology - Dec 21, 2022 - 9:25 PM

Tim Savoie, City Manager - Dec 23, 2022 - 10:34 AM