



City of Port Moody

Report/Recommendation to Council

Date: January 9, 2024
Submitted by: Community Development Department – Development Planning Division
Subject: Rezoning (Commercial) – 2346 Clarke Street (CityState Consulting)

Purpose

To provide Council with a bylaw for consideration of first, second, and third readings to rezone the property at 2346 Clarke Street from Light Industrial (M1) to General Commercial (C3).

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 88, 2024, No. 3441 (2346 Clarke Street) (C3) be read a first, second, and third time as recommended in the report dated January 9, 2024, from the Community Development Department – Development Planning Division regarding Rezoning (Commercial) – 2346 Clarke Street (CityState Consulting).

Background

The City has received rezoning and development variance permit (DVP) applications to allow for commercial uses within the protected heritage building located at 2346 Clarke Street. The subject property is zoned Light Industrial (M1) and the applicant is proposing to rezone the property to General Commercial (C3) to formalize the historical and existing use of the subject property. A draft of the proposed zoning bylaw is included (**Attachment 1**).

The application was presented to the Land Use Committee (LUC) on April 3, 2023. The LUC Recommended made the following recommendations:

THAT the proposed land use for the application is appropriate for the following reasons:

- Commercial use would be appropriate at this location and for this building because the proposal would contribute to the local economy by providing space for business and jobs;

AND THAT the Land Use Committee notes the following recommendations:

- The existing number of parking stalls on the site should be preserved; and
- The interior of the building be preserved to match the character of the existing heritage where possible.

The application was also presented to Council for early input at the April 18, 2023, City Initiatives and Planning Committee (CIPC). The CIPC was supportive of the proposed rezoning and approved a resolution to direct staff not to hold a public hearing for the proposed rezoning.

Discussion

Property Description

The subject site, located at 2346 Clarke Street, is approximately 212 m² (2,281 ft²) in size, with frontage on Clarke Street and an open road right-of-way currently being used as parking to the east (**Attachment 2**). The lot is currently developed with a protected heritage structure, built by the Royal Bank of Canada and used as a branch from 1914 to 1956.

Official Community Plan (OCP)

The OCP designates the subject site as Mixed Use – Moody Centre for commercial and residential uses up to a maximum of three storeys in height (**Attachment 3**). The site is also located within the Moody Centre Heritage Conservation Area, which regulates the form and character of development.

Zoning

The subject site is presently zoned M1 (**Attachment 4**).

Neighbourhood Context

The subject property is located in the Moody Centre Heritage Conservation Area, with a variety of heritage buildings in the immediate area. Specific surrounding development consists of the following:

- North: SkyTrain guideway (at grade) and Canadian Pacific Kansas City Railway.
- East: City road right-of-way (currently used as a parking lot).
- South: two-storey commercial buildings zoned M1
- West: one- to two-storey buildings zoned M1.

Proposal

The applicant is proposing to rezone the subject site from M1 to C3 zone to enable or allow for multiple commercial uses to facilitate the sale of the property. The proposed tenants have not yet been confirmed; however, the uses permitted under the C3 zone include:

- Apartment
- Artist Studio – Type A and Type B
- Child care
- Commercial Athletic and Recreation
- Community Care
- Hotel
- Office
- Personal Service
- Retail Food Service
- Restaurant
- Retail
- Work-Live

The proposal notes no change to the interior of the existing heritage structure; however, any new proposed uses may require a building permit. The property is protected by a heritage covenant which would limit any exterior alterations. As such, any exterior changes would require a Heritage Alteration Permit. The property has some character-defining elements, which includes the following features:

- Hipped roof;
- Entry to the banking hall offset to the west side of the front façade, with separate entry to the upper floor on the east façade;
- Internal brick chimney;
- Metal fire escape on the west façade;
- Original interior features such as the bank vault in the ground floor banking hall; and
- In tact second-floor layout with fir floors, original mouldings, and baseboards.

A copy of the covenant was provided to Council at the early input report and has also been attached to this report (**Attachment 5**).

Development Variance Permit (DVP)

An item of this project which was not discussed at the earlier stages is that the applicant is also required to obtain a DVP as the existing house is not in compliance with the setback requirements of the C3 zone. The following variances would be required to address the existing non-compliances:

- Reduce the interior sideyard setback from 1.5 m. to 0.5 m*.
- Reduce the exterior sideyard setback from 3.0 to 0 metres.

**Estimated at 0.5 m based on available mapping, exact setback to be confirmed by site survey being prepared by owner.*

Should Council give first, second, and third readings, the DVP will be considered by Council on the same evening as bylaw adoption.

Parking

As noted in the early input report, a covenant is registered on the title of the subject property which prevents any alterations to the exterior without prior City approval; furthermore, this agreement dictates the required parking in Section 2 Subsections 2(d) and 2(e) as noted below:

2. (d) “the rear twenty (20) feet of the Lands, as shown and identified on the sketch contained in Schedule “A”, shall be reserved for parking use, with access from Queens Street;”

(e) a minimum of one parking stall per tenant plus one parking stall for each 54 sq. m. of gross floor area, or portion thereof used for general commercial purposes.

To date the owners have had a lease agreement with the City of Port Moody for seven parking spaces designated for the uses of the building within the existing road right-of-way. These spaces are secured through a license of occupation agreement which is valid until September 2028. The terms of this agreement will be reviewed with future owner(s).

Encroachments

In the same way, the current pedestrian access to the property, both the front access and the accessible access on the east side of the building, are located on City lands. This encroachment is also formalized through a license of occupation agreement with the current owner. Any sale of the land will cancel this agreement, and the new owner(s) will be required to enter into new agreement with the City.

As part of staff's review, the City requested the following commitments / contributions from the applicant:

- A \$5,000 contribution towards the future installation of a public EV charging station within the City of Port Moody;
- A \$5,200 contribution towards a future bicycle facility on Clarke Street;
- A statutory right-of-way (SRW) along the rear portion of the property providing an easement for a potential public access for a future trail connection along the rail line, or access for potential future Queens Street SkyTrain station.

The applicant has provided signed letters of commitment for the contributions and SRW noted above. Should Council issue the first, second, and third reading this evening, the cash contributions and SRW will be secured and registered prior to bylaw adoption.

Concluding Comments

Based on the historical use of the property, and the nature of commercial uses being better suited to be located within a heritage structure, staff are supportive of the proposed rezoning application. While staff recognizes the significance of employment zones, given the historic commercial nature of Clarke Street, the limited size of the property, and the quality of the existing structure, staff believe a commercial use is better suited for the property and provides a greater benefit to the community.

Other Option(s)

1. THAT the rezoning application, as presented in the report dated January 9, 2024, from the Community Development Department – Development Planning Division regarding Rezoning (Commercial) – 2346 Clarke Street – (CityState Consulting), be revised.
2. THAT the rezoning application, as presented in the report dated January 9, 2024, from the Community Development Department – Development Planning Division regarding Rezoning (Commercial) – 2346 Clarke Street – (CityState Consulting), be denied.

Financial Implications

As noted above, the applicant has agreed to provide the following contributions to the City:

- A \$5,000 contribution towards the future installation of a public EV charging station within the City of Port Moody; and
- A \$5,200 contribution towards a future bicycle facility along Clarke Street within the City of Port Moody.

Communications and Public Engagement Initiatives

A notification sign on the front of the subject property has been installed, and the Public Hearing meeting information section of the posted sign is amended to inform the public in advance of first reading consideration that the application will not be referred to a Public Hearing.

The notice of proposed zoning amendment bylaw without Public Hearing is mailed within the 140m notification area of the subject property in advance of first reading consideration in accordance with the Development Approvals Bylaw and Section 467 of the Local Government Act.

Council Strategic Plan Goals

The recommendations in this report align with the following Council Strategic Plan Goal(s):

- Strategic Goal 4.2 – Enhance vibrancy through placemaking, arts, culture, heritage, and tourism.

Attachment(s)

1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 88, 2024, No. 3441 (2346 Clarke Street) (C3).
2. Location Map – 2346 Clarke Street.
3. OCP Land Use Designations Map – 2346 Clarke Street.
4. Zoning Map – 2346 Clarke Street.
5. Heritage Covenant – 2346 Clarke Street.

Report Author

Dejan Teodorovic, MCIP, RPP
Development Planner

Report Approval Details

Document Title:	Rezoning (Commercial) – 2346 Clarke Street (CityState Consulting).docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 88, 2024, No. 3441.pdf- Attachment 2 - Location Map - 2346 Clark Street.pdf- Attachment 3 - OCP Land Use Designations Map - 2346 Clark Street.pdf- Attachment 4 - Zoning Map - 2346 Clark Street.pdf- Attachment 5 - Heritage Covenant - 2346 Clarke Street.pdf
Final Approval Date:	Dec 21, 2023

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

Michael Olubiyi, Manager of Development Planning - Dec 13, 2023 - 11:05 AM

Joji Kumagai, Manager of Economic Development, for Kate Zanon, General Manager of Community Development - Dec 13, 2023

Tracey Takahashi, Deputy Corporate Officer, for Stephanie Lam, City Clerk and Manager of Legislative Services - Dec 18, 2023

Lindsay Todd, Manager of Communications and Engagement - Dec 18, 2023

Paul Rockwood, General Manager of Finance and Technology - Dec 19, 2023

Tim Savoie, City Manager - Dec 21, 2023