



City of Port Moody

Report/Recommendation to Council

Date: October 22, 2024
Submitted by: Community Development Department – Development Planning Division
Subject: Repeal of Heritage Revitalization Agreement Bylaw – Three Readings of Repeal Bylaw No. 3487 and Adoption of OCP Amendment Bylaw No. 3421

Purpose

To repeal Heritage Revitalization Agreement Bylaw, 2023, No. 3420 (2407-2421 Clarke Street, 85 Kyle Street, and 50 Queens Street) and adopt City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 34, 2023, No. 3421 (2407-2419 Clarke Street, 85 Kyle Street, and 50 Queens Street) (File: HRA00007)

Recommended Resolution(s)

THAT the report dated October 22, 2024, from the Community Development Department – Development Planning Division regarding Repeal of Heritage Revitalization Agreement Bylaw – Three Readings of Repeal Bylaw No. 3487 and Adoption of OCP Amendment Bylaw No. 3421 be received for information;

AND THAT City of Port Moody Heritage Revitalization Agreement Bylaw Repeal Bylaw, 2024, No. 3487 (2407-2421 Clarke Street, 85 Kyle Street, and 50 Queens Street) be read a first, second, and third time;

AND THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 34, 2023, No. 3421 (2407-2419 Clarke Street, 85 Kyle Street, and 50 Queens Street) be now adopted.

Background

At the Special Council meeting held on September 5, 2023, a Public Hearing was held for the proposed development, following which Council gave third reading to both the City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 34, 2023, No. 3421 (2407-2419 Clarke Street, 85 Kyle Street, and 50 Queens Street), and City of Port Moody Heritage Revitalization Agreement Bylaw, 2023, No. 3420 (2407-2421 Clarke Street, 85 Kyle Street, and 50 Queens Street) (**Attachment 1**). These bylaws seek to amend the Official Community Plan (OCP) and establish a program for the relocation and restoration of the P. Burns Building. This heritage structure, a two-storey wood-frame commercial building constructed in 1908/09, is listed on the City's Heritage Register and protected under the Heritage Conservation Area listing. The Heritage Revitalization Agreement (HRA) Bylaw

includes development control measures typically set out in zoning regulations, as well as detailed architectural and landscape plans. These measures are designed to ensure that the development preserves the heritage values of the site while aligning with the broader urban design objectives of the community. At the Regular Council meeting held on September 26, 2023, Council adopted the HRA Bylaw (**Attachment 2**).

Discussion

Since the adoption of HRA Bylaw No. 3420 (**Attachment 3**), the applicant has proposed changes to the HRA. While the changes are minor, they do require consideration of an updated HRA. In September 2024, the applicant requested modifications to the proposed market residential unit mix, which led to minor adjustments in the Floor Area Ratio (FAR), parking stall requirements, layout, and adaptable units. Additionally, minor revisions were made to the plans annexed to the HRA Bylaw as appendices, impacting the form and character of the building. Furthermore, there has been a change in ownership of the lands referenced in the HRA Bylaw prior to the signing of the agreement. Kyle & Clarke Holdings Ltd. (K&C), originally the registered owner of a portion of the lands, has since acquired the remaining lands, becoming the sole owner of the entire subject site.

To address the changes outlined above, staff, in consultation with the legal teams of both parties, have determined that the most effective course of action is to repeal the adopted HRA Bylaw and introduce a new one. The new HRA Bylaw will align with the Official Community Plan (OCP) through OCP Amendment Bylaw No. 3421 and will incorporate the requested changes. The draft of City of Port Moody Heritage Revitalization Agreement Bylaw Repeal Bylaw, 2024, No. 3487 (2407-2421 Clarke Street, 85 Kyle Street, and 50 Queens Street) (**Attachment 4**) is provided for Council's consideration for first, second, and third readings.

Should Council choose to repeal Bylaw No. 3420 as outlined above, staff will present the repeal of the existing HRA Bylaw for adoption, along with the introduction of a new HRA Bylaw for Council's consideration for first, second, and third readings, followed by eventual adoption.

The adoption of Official Community Plan (OCP) amendment bylaw is also an outstanding item for moving forward this proposal within the new outlined framework. The City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 34, 2023, No. 3421 (2407-2419 Clarke Street, 85 Kyle Street, and 50 Queens Street) (**Attachment 5**) is now before Council for adoption.

Upon Council's adoption of the Official Community Plan (OCP) as outlined above, the new Heritage Revitalization Agreement (HRA) bylaw will not require a public hearing, as the proposed development aligns with the objectives and policies of the adopted OCP, is for the purpose of permitting a residential development, and the residential component constitutes the majority of the gross floor area, thereby meeting the necessary criteria in accordance with s. 464(3) of the *Local Government Act*. To meet the provisions of s. 464(3) staff will mail a notice as required stating that a public hearing is not being held, and the date the HRA will be considered by Council.

Other Option(s)

THAT Council not support Heritage Revitalization Agreement Bylaw Repeal Bylaw, 2024, No. 3487 and the adoption of OCP Amendment Bylaw No. 3421, and direct staff to work with the applicant on the following topics and report back to Council:

- (list of topics).

Financial Implications

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

Communications and Public Engagement Initiatives

There are no communications or public engagement initiatives associated with the recommendations in this report.

Council Strategic Plan Goals

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

- Strategic Goal 2.3 – Enhance and expand parkland and open spaces; and
- Strategic Goal 3.1 – Create complete and connected communities through balanced growth.

Attachment(s)

1. Memo considered at the September 5, 2023, Special Council meeting.
2. Memo considered at the September 26, 2023, Regular Council meeting.
3. City of Port Moody Heritage Revitalization Agreement Bylaw, 2023, No. 3420.
4. Draft Heritage Revitalization Agreement Bylaw Repeal Bylaw, 2024, No. 3487.
5. Draft OCP Amendment Bylaw No. 3421.

Report Author

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Report Approval Details

Document Title:	Repeal of HRA Bylaw – Three Readings of Repeal Bylaw No. 3487 and Adoption of OCP Amendment Bylaw No. 3421.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Memo considered at the September 5, 2023, Special Council meeting.pdf- Attachment 2 - Memo considered at the September 26, 2023, Regular Council meeting.pdf- Attachment 3- City of Port Moody Heritage Revitalization Agreement Bylaw, 2023, No. 3420.pdf- Attachment 4 - Draft Heritage Revitalization Agreement Bylaw Repeal Bylaw, 2024, No. 3487.pdf- Attachment 5 - Draft OCP Amendment Bylaw No. 3421.pdf
Final Approval Date:	Oct 15, 2024

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

Stephanie Lam, City Clerk and Manager of Legislative Services, for Tracey Takahashi, Deputy Corporate Officer - Oct 8, 2024

Michael Olubiyi, Manager of Development Planning - Oct 10, 2024

Kate Zanon, General Manager of Community Development - Oct 10, 2024

Tracey Takahashi, Deputy Corporate Officer, for Stephanie Lam, City Clerk and Manager of Legislative Services - Oct 11, 2024

Lindsay Todd, Manager of Communications and Engagement - Oct 11, 2024

Paul Rockwood, General Manager of Finance and Technology - Oct 13, 2024

Anna Mathewson, City Manager - Oct 15, 2024