

City of Port Moody Report/Recommendation to Council

Date: November 1, 2019

Submitted by: Planning and Development Department – Development Planning Division

Subject: Early Council Input

Purpose/Introduction

This report presents amendments to the Development Approvals Procedures Bylaw to provide Council the opportunity to be informed of development applications early in the review process and provide general comments.

Recommended Resolution(s)

THAT City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 4, 2019, No. 3219 be read a first time as recommended in the report dated November 1, 2019 from the Planning and Development Department regarding Early Council Input.

THAT Bylaw No. 3219 be read a second time.

THAT Bylaw No. 3219 be read a third time.

Background

Over the past two years, staff and Council have sought improvements to the Development Application Review Process, working together to identify areas for improvement to overall processing times, public consultation, and opportunities for meaningful input from Council earlier in the review process. At the September 17, 2019 Special Council (Committee of the Whole) (COTW) meeting, staff presented a report (**Attachment 1**) outlining a number of options for opportunities for early input from Council with pros and cons to each; Council passed the following resolution:

CW19/139

THAT staff be directed to draft the necessary policy and bylaw changes to support Option 1 – Developer Pre-application Presentation and Option 3 – Developer presentation and staff report following first review as outlined in the report dated September 9, 2019 from the Planning and Development Department regarding Development Review Process – Early Input Options for Council be received for information.

140

This report presents the required amendments to the Development Approvals Procedures Bylaw, which are discussed further below.

Discussion

As discussed on September 17, 2019, Council's preferred options for early input were options 1 and 3 as follows:

Option 1 – Developer pre-application presentation

Developers could present their proposal to Council prior to a formal application being made. The concept would be presented potentially with sketches showing proposed height, density, and massing. Early input at this stage would assist applicants in adjusting and finalizing their proposals prior to submission of the application based on Council comments.

Option 3 – Developer application presentation concurrently with first review

Developers could present to Council following the submission of a complete application, and concurrently with a first review by staff and the Community Planning Advisory

Committee (CPAC). Council could choose to provide input on the proposal at that time, which would inform the applicant and staff about key items that need to be detailed or updated. The presentation would be accompanied with a general staff report that includes policy and bylaw background for Council, similar to current reports to CPAC. All input from Council, CPAC, and staff would be compiled in the staff review letter that concludes the first review.

In order to implement options 1 and 3, amendments to the Development Approval Procedures Bylaw are required. Draft City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 4, No. 3219 (Attachment 2) includes the following:

- 1. addition of a new definition for pre-application;
- addition of a new procedures section for pre-application review, which includes a summary by staff at a COTW meeting advising of the results of the pre-application review;
- 3. addition of the option for developers to present a tentative proposal for an Official Community Plan, Zoning Bylaw Amendment, or Land Use Contract change at a COTW meeting for information; and
- addition of a step in the OCP, rezoning, and LUC amendment process for staff to prepare a report for Council consideration at a COTW meeting following the first staff review.

Staff note that the inclusion of a staff report as part of the first review will result in extra time needed before the first review letter can be provided to applicants. Typically, instead of 10-12 weeks, this would require 12-15 weeks; however, the benefit of early Council input is expected to save time later in the approval process, because the new process allows for an early indication of any key items that need to be addressed.

150

Housekeeping amendment public notification

Since May 2018, when the Development Approval Procedures Bylaw was amended to reflect changes to CPAC and the Advisory Design Panel, staff have had an opportunity to work with the process and the Bylaw and are also recommending some housekeeping amendments on development signage and public notification. These include:

- 1. simplifying signage requirements;
- 2. additional clarity on signage regarding opportunities for public input; and
- 3. requirement to remove the sign after the public consultation process has concluded.

These changes have been reviewed with Communications and Engagement Division staff and a revised sign template has been created. This template is attached as **Attachment 3** for Council's information.

Council should note that after the direction received at the September 17, 2019 COTW meeting, the Fees Bylaw update was modified to increase the pre-application review fee from \$540 to \$1,000 to cover the additional cost of providing a staff summary and arrangement of a presentation to Council.

Other Options

THAT staff be directed to prepare alternative options for Council's consideration for opportunities for early input from Council.

Financial Implications

There are no immediate financial implications associated with this report; however, staff will monitor the level of staff resources needed to support the early input processes and may consider recommending an increase to application fees to recover the City's cost. More details would be provided once staff report back on the implementation of Council's direction.

Communications / Civic Engagement

There are no further public notifications required as a result of this report.

Council Strategic Plan Objectives

Providing informative early Council input options on development applications supports the Council Strategic Plan goals under Exceptional Service (ensure our customers are highly satisfied with the quality of our service) and Community Evolution (ensure future community growth is carefully considered and strategically managed).

Attachments:

- 1. Report considered at September 17, 2019 Committee of the Whole meeting.
- 2. Draft City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 4, No. 3219.
- 3. Development Signage Template.

Report Author

Chris Jarvie MCIP, RPP Manager of Development Planning

Report Approval Details

| Document Title: | Early Council Input.docx |
|----------------------|---|
| Attachments: | - Attachment 1 - Report Considered at September 17, 2019 Special Council (COTW) Meeting - Development Review Process - Early Input Options - Attachment 2 - Draft City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 4, No. 3219 - 96x48 Notification Signage Template 4.pdf |
| Final Approval Date: | Nov 5, 2019 |

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

Rosemary Lodge
Manager of Communications and Engagement

Paul Rockwood
General Manager of Finance and Technology

André Boel General Manager of Planning and Development

Tracey Takahashi Deputy Corporate Officer

Tim Savoie City Manager

Council Agenda Information

⊠ COTW September 17, 2019

255

Item 6.3



City of Port Moody Report/Recommendation to Council

Date:

September 9, 2019

File No. 13-6630-05

Submitted by:

Planning and Development Department

Subject:

Development Review Process - Early Input Options for Council

Purpose / Introduction

This report provides a number of options which could give Council the opportunity to be informed of development applications early in the review process and provide general comments.

Recommended Resolution

THAT the report dated September 9, 2019 from the Planning and Development Department regarding Development Review Process – Early Input Options for Council be received for information.

Background

Given the changes made on January 8, 2019 to the Terms of Reference for the Community Planning Advisory Committee (CPAC), Council is no longer officially made aware of development applications at an early stage in the development review process. This report outlines potential options for providing an opportunity for Council to receive information regarding development applications and to provide early input.

Discussion

Development and re-development of sites in the city are a key aspect of the City's evolution towards the community vision. The development approval process is a complex multi-department review which assesses a development application against current policy and regulations (such as the Official Community Plan and the Zoning Bylaw). Staff work together with the applicant towards a development proposal that is presented to Council for consideration. The typical development approval process is outlined in **Attachment 1**.

As part of the process, there are also opportunities for public input from community members and from the Community Planning Advisory Committee. Ultimately, the development proposal undergoes numerous changes before Council has the opportunity to consider the application. While Council can be confident that an application has been reviewed under the City's current policy framework and has reached a level of satisfaction to staff by the time of Council consideration, introduction to the application to Council comes after significant discussion has already occurred with staff and the community.

SC(COTW) - Agenda - 2019 09 17 256

Report/Recommendation to Council

Development Review Process – Early Input Options for Council
September 9, 2019

Item 6.3

Council has expressed an interest in providing input earlier in the review process. In 2018, the timing of the Community Planning Advisory Committee (CPAC) review was changed to take place at the start of the application process. At that time, all Council members were part of CPAC and this offered a new and early input option for Council to comment. In January 2019, Council expanded the community membership of CPAC and removed most Councillors from the Committee, eliminating Council's early input opportunity.

Early Council input can be very important and worthwhile for applicants as it provides an early indication of priorities, strengths, or weaknesses of the proposal. Applicants are also interested in knowing whether their project would be generally supported by Council. This helps to prioritize the different elements of proposals, for example, regarding transportation, affordable housing, and community amenities.

Staff are not always in a position to provide specific clarity on behalf of Council, since staff rely on existing policies and requirements in the Official Community Plan (OCP) and other bylaws. The OCP offers a wide range of policies and priorities and, ultimately, only Council can indicate which elements of the project or which policies and priorities will affect support for the project. With that in mind, it is common for applicants to ask whether they can seek Council input early on, particularly when the proposal is offering a new approach not contained in the City's current policies.

The staff review process would also benefit from an option to receive early Council input. It would provide staff with an opportunity to focus the review on those aspects of the project that matter most to Council. It would also give staff an opportunity to flag and receive direction on any competing priorities in the City's policies. This would support a more efficient review process.

Staff have identified a number of early input options for Council's consideration (**Attachment 2**); the text below discusses each option and outlines important pros and cons. A key consideration is whether Council receives the application with or without a staff review with professional advice.

The first two options would involve a developer presentation to Council at a Committee of the Whole meeting, without accompanying staff recommendations given that a review of the proposal would not yet have been completed. These options are the earliest options for early input:

SC(COTW) - Agenda - 2019 09 17 257

Report/Recommendation to Council

Development Review Process – Early Input Options for Council
September 9, 2019

Item 6.3

- 1. Developer pre-application presentation
 - Developers could present their proposal to Council prior to a formal application being made. The concept would be presented potentially with sketches showing proposed height, density, and massing. Early input at this stage would assist applicants in adjusting and finalizing their proposals prior to submission of the application based on Council comments.
 - Pro: earliest input opportunity;
 - Con: lack of information on the details of the proposal is typical at this stage;
 - Con: not every idea at this stage may proceed to the application process so it may be premature to gather Council input; and
 - Con: at this stage, no staff review and recommendations would be available.
- 2. Developer application presentation concurrently with first review Developers could present to Council following the submission of a complete application, and concurrently with a first review by staff and CPAC. Council could choose to provide input on the proposal at that time, which would inform the applicant and staff about key items that need to be detailed or updated. The presentation would be accompanied with a general staff report that includes policy and bylaw background for Council, similar to current reports to CPAC. All input from Council, CPAC, and staff would be compiled in the staff review letter that concludes the first review.
 - Pro: Council comments support and inform the initial review; and
 - Con: at this stage, no staff review and recommendations would be available.

The second set of input options would take place after the staff review has been completed. A staff report with review results and recommendations to Council would be provided. Although the options are available later in the process, the staff report would provide Council with additional background and analysis that could be helpful in the review of the proposal.

- 3. Staff report following the completion of the first staff review In this option, the developer could present the proposal and staff could present the results of the first review. This would provide Council with a briefing of the application, both from the developer and staff perspectives, including recommendations from staff. It would also allow Council to provide comments that would inform staff and the applicant about priorities for any revisions to the project.
 - Pro: Council can provide input before the proposal is updated; and
 - Pro: staff review results are available and staff can provide recommendations.

SC(COTW) - Agenda - 2019 09 17 258

Report/Recommendation to Council

Development Review Process – Early Input Options for Council
September 9, 2019

Item 6.3

- 4. Staff report following the completion of the second staff review
 The developer in this option would present to Council once a response has been
 provided as a result of the first staff review. More information would be available at this
 time and this would inform the applicant and staff as part of the second review, which
 would follow after the presentations were made.
 - Pro: staff review results of the first review are available; and
 - Con: although earlier than in the current process, Council does not see the proposal until substantial efforts have been made to update and finalize the proposal.

Other Options

THAT staff be directed to draft the necessary policy and bylaw changes to support the following Council early input option regarding development proposals: (add preferred option)

- 1. Developer pre-application presentation;
- 2. Developer application presentation during first review;
- 3. Developer presentation and staff report following first review; and
- 4. Developer presentation and staff report during second review.

Financial Implications

Depending on the level of staff resources needed to support the early input option, Council may want to consider increasing application fees to recover the City's cost. More details would be provided once staff report back on the implementation of Council's direction.

Communications / Civic Engagement

To be determined at a later date, following selection of Council's preferred option.

Council Strategic Plan Objectives

Providing informative early Council input options on development applications supports the current Strategic Plan goals under Exceptional Service (ensure our customers are highly satisfied with the quality of our service) and Community Evolution (ensure future community growth is carefully considered and strategically managed).

Attachments:

- 1. Rezoning and Development Permit, Typical Multi-Family and Mixed-Use Review Process and RS1-S Rezoning and Small Lot Subdivision Process.
- 2. Options for Early Council Input in the Application Review Process.

SC(COTW) - Agenda - 2019 09 17 259

Report/Recommendation to Council

Development Review Process – Early Input Options for Council

September 9, 2019

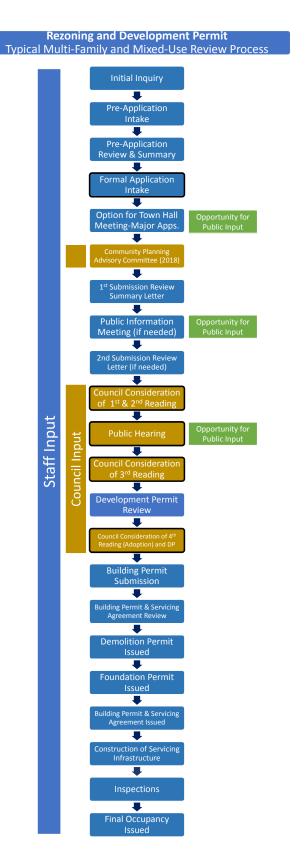
Item 6.3

| Prepared by: | |
|--|---------------------------------|
| AB | |
| André Boel, MCIP, RPP | |
| General Manager of Planning and Develo | ppment |
| Reviewed for Form and Content / Appr | oved for Submission to Council: |
| City Manager's Comments | The |
| | Tim Savoie, MCIP, RPP |
| | City Manager |

SC(COTW) - Agenda - 2019 09 17

260

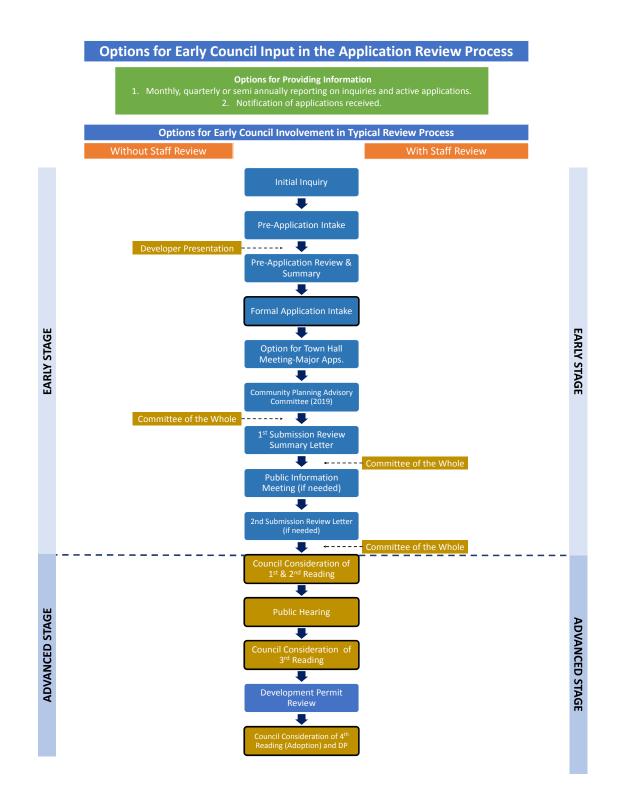
Item 6.3 Attachment 1



SC(COTW) - Agenda - 2019 09 17

261

Item 6.3 Attachment 2





City of Port Moody

Bylaw No. 3219

A Bylaw to amend City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 to include early input opportunities.

The Council of the City of Port Moody enacts as follows:

1. Citation

1.1 This Bylaw may be cited as "City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 4, 2019, No. 3219".

2. Amendments

2.1 City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 is amended by adding the following definition to section 3.1:

"Pre-Application means an Application specifically for initial review of a tentative proposal by staff and or by Council in order to

provide guidance for the preparation of an Application.".

- 2.2 Bylaw No. 2918 is further amended by replacing section 4. SCOPE with the following section 4:
 - "4. SCOPE
 - 4.1 This Bylaw shall apply to:
 - (a) A preliminary review through a Pre-application for a possible Official Community Plan, Zoning Bylaw, or Land Use Contract amendment;
 - (b) An amendment to:
 - (i) the Official Community Plan;
 - (ii) the Zoning Bylaw;
 - (iii) a Land Use Contract; and
 - (c) The issuance of a permit, including:
 - (i) a Development Permit;
 - (ii) a Development Variance Permit;

EDMS#483359

160

- (iii) a Temporary Commercial Use or Temporary Industrial Use Permit."
- 2.3 Bylaw No. 2918 is further amended by deleting section 6. Procedures for Processing Official Community Plan Zoning Bylaw, and Land Use Contract Amendment Applications in its entirety.
- 2.4 Bylaw No. 2918 is further amended by adding the following section 6:
 - "6. PROCEDURES FOR PRE-APPLICATION REVIEW
 - 6.1 Review
 - 6.1.1 Depending on the particulars of the Pre-application, it may be referred to other City staff and applicable external agencies by the General Manager of Planning and Development for review and comments.
 - 6.1.2 Under the direction of the General Manager of Planning and Development, staff shall provide a summary to Council advising on the results of the Pre-application review.
 - 6.2 Council Input
 - 6.2.1 The applicant of a Pre-application has the option to present the tentative proposal to Council for information.".
- 2.5 Bylaw No. 2918 is further amended by adding the following section 7 and renumbering subsequent sections:
 - "7. PROCEDURES FOR PROCESSING OFFICIAL COMMUNITY PLAN, ZONING BYLAW, AND LAND USE CONTRACT AMENDMENT APPLICATIONS
 - 7.1 Review
 - 7.1.1 Depending on the particulars of the Application, it may be referred to other City staff and applicable external agencies by the General Manager of Planning and Development or designate for review and comments.
 - 7.1.2 Under the direction of the General Manager of Planning and Development or designate, upon receipt of a complete application, staff shall refer the application to the Community Planning Advisory Committee for review prior to consideration of Council.
 - 7.1.3 Under the direction of the General Manager of Planning and Development, staff shall prepare a report to Council following the first staff review advising on the merits of the Application and include input received from the Community Planning Advisory Committee.

- 7.1.4 Under the direction of the General Manager of Planning and Development, staff shall prepare a report to Council to consider the application and bylaw(s) once the items addressed in the review process have been substantially addressed.
- 7.1.5 Notwithstanding items 7.1.2, 7.1.3, and 7.1.4 RS1-S (Small Lot) rezoning applications are exempt from the requirement of seeking Community Planning Advisory Committee review.

7.2 Council Consideration

- 7.2.1 Council may, upon receiving the staff report regarding the subject Application:
 - (a) authorize drafting of a Bylaw Amendment pursuant to the Application for Council consideration;
 - (b) defer the Application;
 - (c) if the proposed amending bylaw is available at the time the application is considered by Council, give first reading to a Bylaw Amendment pursuant to the Application; or,
 - (d) refuse the Application.
- 7.2.2 Where Council gives first and second reading to a Bylaw Amendment pursuant to an Application, it will consider referral of the bylaw to a public hearing.
- 7.2.3 After Council has given third reading to a Bylaw Amendment, the General Manager of Planning and Development, or his or her designate, will advise the applicant as to any steps to be taken prior to further Council consideration of the Bylaw Amendment, if necessary.
- 7.2.4 Notwithstanding section 10 of this bylaw, upon written request by the applicant, the General Manager of Planning and Development or designate may provide an additional one year period between third reading and final adoption to enable the applicant to complete the requirements for final adoption. A maximum of two (2) one-year time extensions may be granted.
- 7.2.5 Where an extension has been granted and the applicant fails to meet the deadline, Council may consider rescinding the bylaw. If the bylaw is rescinded, the application file shall be closed by staff and the applicant shall be notified in writing.

7.3 Consultation

7.3.1 For OCP Amendments, Council delegates to the General Manager of Planning and Development, the duty to consider and provide, if necessary, early and ongoing consultation with

162

- persons, organizations, and authorities as required under the *Local Government Act*.
- 7.3.2 Prior to proceeding to Council with the proposed Bylaw Amendment, the applicant may be required to conduct a consultation process on the application, if required by the General Manager of Planning and Development in accordance with the approved guidelines for public and stakeholder consultation.
- 7.3.3 Public input at the community information meetings referred to in section 6.3.2 must be recorded in accordance with the approved guidelines for public and stakeholder consultation.

7.4 Notification

- 7.4.1 The City will ensure a notice is posted on the subject land(s):
 - (a) no later than two weeks after submitting a complete development application;
 - (b) not less than ten (10) days prior to the public hearing, include the meeting information with respect to the public hearing on the posted notice;
 - (c) in a manner that is highly visible from a public road adjoining the land;
 - (d) in accordance with the size, form and content specified in Schedule "A" to this bylaw; and
 - (e) where more than one parcel of land is involved in the Application and the parcels are contiguous, a single notice may be posted providing that it clearly shows all the parcels of land that form part of the Application and specifies how each is affected by the Application.
- 7.4.2 Notice of public hearing shall be published and mailed or otherwise delivered in accordance with the *Local Government Act*.
- 7.4.3 The notice sign may be removed after completion of the Public Hearing; once an application has been withdrawn; or once the application is deemed inactive by the General Manager of Planning and Development.".
- 2.6 Bylaw No. 2918 is further amended by replacing the following section 9.3.3:
 - "9.3.3. The notice sign is to be removed within one week of the application being approved or refused by Council; within one week of the application being withdrawn by the applicant; or once the application is deemed inactive by the General Manager of Planning and Development."

163

with the following section 10.3.3:

- "10.3.3. The notice sign may be removed after completion of the Public Hearing; once an application has been withdrawn; or once the application is deemed inactive by the General Manager of Planning and Development.".
- 2.7 Bylaw No. 2918 is further amended by replacing Schedule A with Schedule A attached to and forming part of this Bylaw.

3. Attachments and Schedules

- 3.1 The following schedule is attached to and form part of this Bylaw:
 - Schedule A Notification Sign Requirements

4. Severability

Corporate Officer

4.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

| Read a first time this day of, 2019. | | | | |
|---|---------------------------------|--|--|--|
| Read a second time thisday of, 2019. | | | | |
| Read a third time thisday of, 2019. | | | | |
| Adopted thisday of, 2020. | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Acting Mayor | D. Shermer Corporate Officer | | | |
| | | | | |
| | | | | |
| I hereby certify that the above is a true copy of Bylaw No. 3219 of the City of Port Moody. | | | | |
| | | | | |
| | | | | |
| D. Shermer | | | | |
| D. OHOHHOI | | | | |

Schedule A

Notification Sign Requirements

The notice shall contain the following information:

- Type of application(s);
- · Address or legal description of the property;
- Name, address, and contact information of applicant or agent;
- · Description of proposed development;
- Context map with the subject property identified;
- Date (estimate) of open house or information meetings (to be added / updated when known);
- Date of public hearing (to be added in high visibility colour once set);
- · E-mail address for providing comments to Council;
- Contact information of the Planning and Development Department;
- · City of Port Moody logo; and
- · Date application received.

The notice(s) shall have sufficient dimensions, and shall be located in a highly visible location, to the satisfaction of the General Manager of Planning and Development.



Development Application City of the Arts

3370 Dewdney Trunk Road

Application # 6700-20-160

Current Official Community Plan Designation: Multi-Family Residential



Proposed Official Community Plan Designation: No change

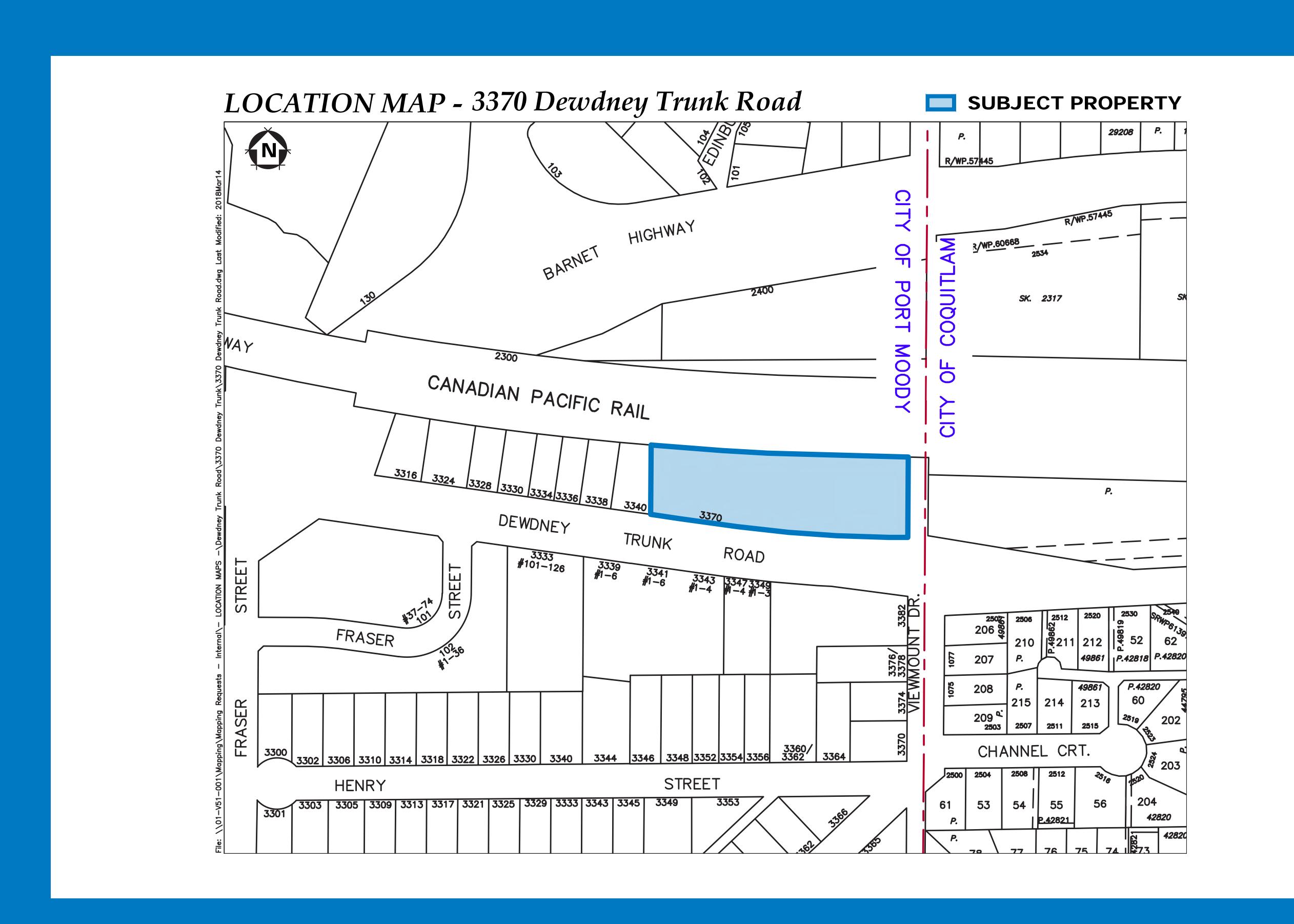
Current Zoning: One-Family Residential (RS4)



Proposed Zoning: Comprehensive Development Zone 72

This proposal includes:

- 229 purpose-built rental units
- One 6-storey building
- 182 resident parking spaces
- A floor area ratio of 2.78 times the lot area

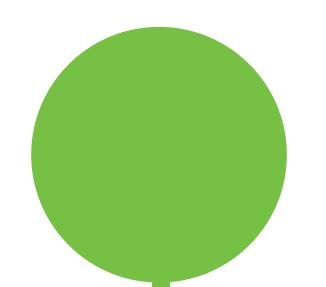


APPLICANT: PC Urban Properties Suite 880, 1090 West Georgia, Vancouver

604-282-6085 info@pcurban.ca

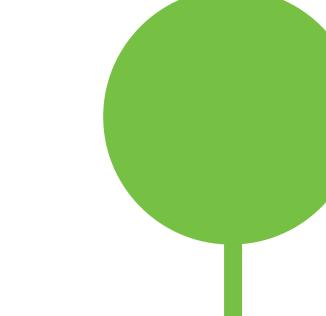
APPLICATION RECEIVED OCT 1, 2019

Here's how you can get involved:



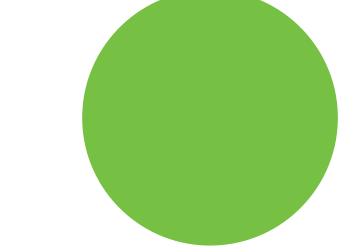
Developer Open House

7pm on October 22, 2019 Inlet Theatre, City Hall 100 Newport Drive, Port Moody



Developer Information Meeting

December 2019 Date and Location TBD



Public Hearing

Date and Location TBD



You can also connect with Council at council@portmoody.ca

CITY OF PORT MOODY Planning and Development



planning@portmoody.ca



604.469.4540