



City of Port Moody

Report/Recommendation to Council

Date: December 20, 2019
Submitted by: Planning and Development Department – Development Planning Division
Subject: 3001 St. Johns Street Extension of Temporary Use Permit

Purpose

To present an extension application for Temporary Use Permit (TUP) 3080-20-05 for 3001 St. Johns Street to allow for its continued use as a temporary sales centre.

Recommended Resolution(s)

THAT the requirement to refer Temporary Use Permit 3080-20-05 to the Community Planning Advisory Committee be waived as recommended in the report dated December 18, 2019 from the Planning and Development Department – Development Planning Division regarding 3001 St. Johns Street Extension of Temporary Use Permit;

AND THAT Temporary Use Permit 3080-20-05 be extended for a period of three (3) years;

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

Background

Marcon St. George (GP) Ltd. submitted an application to extend their existing Temporary Use Permit No. 3080-20-05 on November 25, 2019. The existing permit allows for a temporary sales centre at the southeast corner of St. George Street and Williams Street and was authorized by Council on November 14, 2017. Permit No. 3080-20-05 (**Attachment 1**) requires the applicant to either cease use of the property, or submit an application for extension by December 26, 2019.

The sales centre currently accommodates the pre-sale activities for the proposed multi-family residential project (“The George”) on lots at 3010-3042, 3009-3029, and 3037-3113 St. George Street, which are currently under construction.

A TUP is required to allow for temporary commercial and industrial uses that do not conform to 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 a property for a limited time. A permit may be issued for a period of three years and may be renewed once, at the discretion of Council, for an additional

three-year period. The applicants have stated that they are seeking a TUP for a term of three years. The original TUP was requested and granted for a period of two years.

Site Description

The subject property is located at the southeast corner of St Johns Street and Williams Street and is part of a larger commercial block which contains 3001, 3003, and 3017 St. Johns Street. Permit No. 3080-20-05 is only applicable to 3001 St. Johns Street, as shown on the Location Map included as **Attachment 2**.

The site is approximately 1,195.6m² (12,870.0ft²) in size, with the primary access on the north side of the site from St. Johns Street, and a secondary access point from the south from St. Andrews Street.

Discussion

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, Parks and Open Space, and Public and Institutional. The OCP designates the subject property as Mixed Use – Moody Centre.

The property also falls within Development Permit Area 2: Moody Centre and Development Permit Area 5: Protection of Development from Hazardous Conditions (flood hazard and moderate to high risk of earthquake soil liquefaction). The applicants have addressed all matters related to geotechnical and flood hazard through the building permit process to construct the existing sales centre. The form and character of the proposed sales centre were addressed through the previous TUP Council Report. A copy of this report is included as **Attachment 3**.

Zoning

The subject property is zoned Service Station Commercial (C4); this zone category is limited to a gasoline service station, confectionary sales, and accessory off-street parking. Since a temporary sales centre is not a permitted use, a TUP was obtained by the applicant. As the original permit was granted for a period of two years, an application to extend the permit is required.

Existing Conditions

The subject property contains a sales centre, which has a floor area of approximately 333.6m² (3,591ft²) and a height of 5.29m (17.4ft), with a site coverage of approximately 28% and a Floor Area Ratio (FAR) of 0.28. The existing structure is in conformity with the C4 Zone Standards, which allow a maximum lot coverage of 40% and a maximum building height of 7.5 metres.

Servicing, Parking and Landscaping

The temporary sales centre was connected to existing water and sanitary services, thereby eliminating any requirements for on-site storage tanks. The sales centre provides 13 parking spaces, including one accessible space exceeding the minimum requirements of the Commercial Zone.

The previous approval included an arborist report and landscape plan and security. The site was inspected on November 6, 2018 and 90% of the security was returned for the landscape works completed. A 10% deposit was held to ensure the maintenance of the landscape works for an additional year. The site was once again inspected in December of 2019 and the landscape works have been maintained. It is recommended that the 10% fee be returned to the applicant.

The applicant had previously provided a security deposit in the amount of \$25,200 for the removal of the sales centre at the time of permit expiration. It is recommended that this deposit continue to be held. A draft of the updated permit is included as **Attachment 4**.

Access

The subject property has two access points: the main access along St. Johns Street and a secondary access from St. Andrews Street.

Concluding Comments

Staff are supportive of the extension of the TUP for the following reasons:

- it is in line with OCP policy that permits Council to consider such applications on a case-by-case basis in areas designated Mixed Use;
- the location for this temporary use is appropriate as it directly serves the parent project located one block away and is well served by transit;
- the proposed structure falls within existing zoning requirements in terms of building size, height, and lot coverage, resulting in a building form that remains appropriate for the proposed location;
- the applicant has provided a security in the amount of \$25,200 to ensure that the use ceases and that the site is appropriately reinstated; and
- the proposed temporary commercial use is appropriate given the location and is consistent with surrounding uses.

Other Option(s)

1. THAT the application for an extension to the Temporary Use Permit No. 3080-20-05 be referred to the February 10, 2020 Community Planning Advisory Committee for further advice and recommendation.
2. THAT the application for an extension to Temporary Use Permit No. 3080-20-05 be denied.

Financial Implications

There are no financial implications to the City of Port Moody.

Communications and Civic Engagement Initiatives

In accordance with Development Approvals Procedures Bylaw, 2011, No. 2918, a notification sign was posted on the property and notification of the TUP consideration at the January 14, 2020 Council meeting was mailed out to all owners and occupants within 140m of the subject property. Advertisements of the Council meeting were placed in the January 2, 2020 and January 9, 2020 editions of the Tri-City News.

Council Strategic Plan Objectives

The proposal is consistent with the goals of Council's 2019-2022 Strategic Plan related to a Healthy City by planning for a variety of housing types to meet community needs.

Attachment(s)

1. Temporary Use Permit No. 3080-20-05.
2. Location Map.
3. November 14, 2017 Council Report.
4. Draft Updated Permit No. 3080-20-05.

Report Author

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Report Approval Details

Document Title:	3001 St. Johns Street Extension of Temporary Use Permit.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Temporary Use Permit 3080-20-05.pdf- Attachment 2 - Location Map.pdf- Attachment 3 - November 14, 2017 Council Report.pdf- Attachment 4 - Draft Updated TUP 3080-20-05.pdf
Final Approval Date:	Jan 2, 2020

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

Tracey Takahashi for Dorothy Shermer, Corporate Officer - Jan 2, 2020 - 1:13 PM

Rosemary Lodge, Manager of Communications and Engagement - Jan 2, 2020 - 3:32 PM

Paul Rockwood, General Manager of Finance and Technology - Jan 2, 2020 - 3:36 PM

André Boel, General Manager of Planning and Development - Jan 2, 2020 - 3:59 PM

Paul Rockwood for Tim Savoie, City Manager - Jan 2, 2020 - 4:05 PM