



City of Port Moody

Report/Recommendation to Council

Date: May 4, 2020
Submitted by: Planning and Development Department – Development Planning Division
Subject: OCP-Rezoning (Apartments) – Lots 17-20 Henry Street (Ankenman Marchand)

Purpose

To present for Council consideration Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 25, 2020, No. 3258 (Lots 17-20 Henry Street) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 41, 2020, No. 3259 (Lots 17-20 Henry Street) (CD57) to allow for the development of 173 multi-family apartment units at Lots 17-20 Henry Street.

Recommended Resolution(s)

THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 25, 2020, No. 3258 (Lots 17-20 Henry Street) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 41, 2020, No. 3259 (Lots 17-20 Henry Street) (CD57) be read a first and second time as recommended in the report dated May 4, 2020, from the Planning and Development Department – Development Planning Division regarding OCP-Rezoning (Apartments) – Lots 17-20 Henry Street (Ankenman Marchand);

AND THAT Bylaws No. 3258 and No. 3259 be referred to a Public Hearing to be held once the details of the affordable housing component are clearly established and the geotechnical peer review has been completed to staff satisfaction.

Executive Summary

Ankenman Marchand Architects has submitted an OCP Amendment and Rezoning Application to allow for a six-storey, 173-unit development on the properties located at Lots 17-20 Henry Street. Key aspects of the proposal include:

- an 11-storey building that tiers up the hillside, with a Floor Area Ratio of 1.82;
- a unit mix, including, 63 studio and one-bedroom units, and 110 units with two or more bedrooms, with 87 units, or 50%, being adaptable;
- dedication of 8,005m² (86,162ft²) of land to the City for park and environmental purposes;

- an affordable housing component, including, up to 148.6m² (1,600ft²) of residential floor area to be provided to a non-profit affordable housing operator; 17 units offered as rent to own to local buyers; and the inclusion of six units with lock-off suites;
- compliance with the Zoning Bylaw's riparian setbacks.

In order to permit the development, the following are required:

- adoption of an OCP amendment to change the land use designation of a portion of the site to be dedicated to the City as park, from 'Multi-Family Residential' to 'Parks and Open Space', and to allow for an 11-storey building;
- adoption of a bylaw rezoning the property from Acreage Reserve to Comprehensive Development Zone 57 (CD57) for the portion of the lot proposed for development and to Civic Institutional (P1) for the portion to be dedicated to the City as park;
- adoption of a Housing Agreement Bylaw to establish the parameters of and implement the affordable housing component;
- Development Permits for form and character, hazardous conditions, and environmentally sensitive areas; and
- a consolidation of the four existing lots and subdivision to create two parcels, one lot for the development and one lot for the park.

It is recommended to give the application first and second reading and refer the item to a Public Hearing, though the Public Hearing will take place only once the key aspects related to geotechnical matters and affordable housing are resolved.

Background

An OCP amendment and rezoning application was submitted by Ankenman Marchand Architects on July 5, 2019, for a terraced 11-storey multi-family development on Lots 17-20 Henry Street in the 3000-block of Henry Street (**Attachment 1**).

An earlier application was considered by Council at the February 12, 2019 Regular Council meeting. At that time, while considering renewing third reading, Council rescinded the OCP amendment and rezoning Bylaws, which defeated the application, due to concerns with the time that had elapsed since the previous third reading of the Bylaw (June 12, 2012), the related need for further public input, and concerns that the proposal did not meet other current City Bylaw requirements, particularly in relation to environmental setbacks. The technically-challenging nature of the site was the main reason for the long period of time that elapsed between initial third reading and the application returning to Council for consideration, as the applicant was required to finalize the geotechnical, stormwater management, and environmental aspects associated with the Development Permit. As part of this new application, the applicant was directed by staff to ensure that these previously-outstanding items be addressed earlier in the process.

The current application was considered by the Community Planning Advisory Committee (CPAC) at the September 3, 2019 meeting; the following motion was passed:

CPAC19/008

THAT the following suggestions from the Community Planning Advisory Committee on the proposed project as presented in the report dated July 29, 2019 from the Planning and Development Department – Development Planning Division regarding Lots 17-20 Henry Street be forwarded to staff and the applicant for information:

- seek partnership opportunities for providing affordable housing to performing artists;
- include accessible parking on each level of the parkade;
- increase the number of three-bedroom units;
- consider allocating the art contribution into a reserve instead of towards an art installation;
- provide traffic impact assessment information at a public information meeting prior to the Public Hearing;
- forward the geotechnical report to an independent party for peer review;
- encourage the proponent to provide clear language regarding fully accessible units;
- provide drawings or scale models that demonstrate compatible scale, form, character, and footprint, in comparison to Terra Vista and the general neighbourhood context;
- consider how the trees at the rear of the project will be protected if the City does not take ownership of the area;
- provide an indication of the number of trees to be removed in order to determine the number of replacement trees needed;
- perform a thorough risk assessment of wildlife management;
- perform ongoing monitoring and removal of invasive species on site;
- plant a maximum amount of pollinating native species;
- provide a common area for depositing household items that can be shared or reused by residents;
- consider a raised crosswalk that aligns with the existing Henry Street crosswalk; and
- provide clarity on how the green rooftop will be maintained.

Council passed the following motion at the Special Council meeting held on January 25, 2020:

RC20/055

THAT the project, as outlined in the report dated December 24, 2019 from the Planning and Development Department – Development Planning Division regarding Lots 17-20 Henry Street – OCP Amendment and Rezoning Application be supported subject to further review by staff and the addressing of any traffic issues in the neighbourhood, including rat-running, and any further matters identified by Council.

Discussion

Property Description:

The development site consists of four undeveloped lots located on the south side of Henry Street, west of Buller Street, as shown on the Location Plan (**Attachment 1**).

The total site is approximately 17,556m² (4.3ac) in size and is situated on the Chines hillside. The site slopes significantly upwards from north to south with an elevation gain of approximately 56m and slopes varying between 25-35%. A large environmentally sensitive area covers the vast majority of the site as it is heavily forested, and it is impacted by two watercourses: the West Channel running along the west property boundary; and Elginhouse Creek, a more significant watercourse, crossing the southeast portion of the subject site. Due to the steep topography and environmentally sensitive areas, only the portion of the site closest to Henry Street is being proposed for development. A map showing the watercourses on the subject site is provided in **Attachment 2**.

Neighbourhood Context:

Surrounding development mainly consists of environmentally sensitive areas and includes:

- North: Undeveloped, forested land zoned Medium Density Townhouse Residential (RM4) with two watercourses running through the properties. These properties are designated Multi-Family Residential in the OCP;
- East: Environmentally sensitive lands including Elginhouse Creek and Dallas Creek. These lands are part of the Port Moody Middle School site, zoned Civic Service (P1), and designated Public and Institutional within the OCP;
- South: City of Coquitlam lands that are designated for Parks and zoned Special Park (P5) within the City of Coquitlam Zoning Bylaw. The intent of Coquitlam's P5 Zone is to provide for open space of varying sizes such as parks and playgrounds, waterways, and utility-related structures such as pumphouses; and
- West: A developed six-storey multi-family residential building (Terra Vista) zoned Comprehensive Development 13 (CD13) consisting of 133 residential units. Between the existing multi-family residential building and the developable area is an environmentally sensitive area that includes an unnamed watercourse.

Land Use Policy:

Official Community Plan (OCP) and Zoning:

The OCP designates the subject lands as multi-family residential, which permits residential development up to a maximum of six storeys. The site is located within Development Permit Area 1: Neighbourhood Residential, which regulates the form and character of multi-family residential developments. The site is also located within Development Permit Area 4: Environmentally Sensitive Area due to the site's forested character and the riparian area associated with Elginhouse Creek and in Development Permit Area 5: Hazardous Conditions due to the existence of steep slopes and the potential for soil liquefaction.

Zoning:

The subject lots are presently zoned Acreage Reserve (A1). The OCP designation and Zoning maps are included as **Attachments 3 and 4**.

Proposal:

The development proposal consists of a U-shaped 11-storey residential building with 173 units over an underground parkade. Although the building will have a total of 11 storeys, the proposed development consists of three-storeys fronting onto Henry Street, then steps back with each additional storey of height, giving a terraced appearance up the hillside. Though the

building is technically 11 storeys, given the grade change on the site and the way in which the building has been terraced, at its tallest, the building is eight storeys along the eastern property line. An outdoor rooftop amenity space and outdoor amenity spaces at the interface with the ESA to the south are provided. Architectural Plans and Landscape Plan are provided as **Attachment 5**.

The project has been reviewed against the applicable Development Permit Area 1: Neighbourhood Residential design guidelines, which regulates the form and character of multi-family residential developments. The design sensitively terraces into the hillside and includes townhouse units that front onto the street and extensive landscaped balconies of each terrace fronting onto the north facing street frontage. The development also includes an extensive outdoor amenity space on the roof and to the rear (south) of the building, which will also help with the transition to the environmentally sensitive areas and parkland to the south.

The proposed floor area for the purposes of calculating the Floor Area Ratio (FAR) is 17,362m² (186,881ft²), which results in an FAR of 0.99. However, the applicant is proposing to dedicate 8,005m² (86,162ft²) of land to the City for park and environmental purposes, which increases the FAR to 1.82 based on the net area. A summary of the floor area can be found in the table below.

Floor Area Ratio of Proposed Development:

	Prior to Dedication of Land	After Proposed Dedication of Land
Site Area	17,555m ² (188,966ft ²)	9,551m ² (102,804ft ²)
Floor Area	17,348m ² (186,733ft ²)	17,362m ² (186,881ft ²)
Floor Area Ratio (FAR)	0.99	1.82

The proposal includes a mix of unit sizes with 63 studio and one-bedroom units, and 110 units with two bedrooms or more, with 87 units, or 50%, being adaptable. The proposal provides a total of 519m² (5,586ft²) of indoor amenity space or 3.0m² (32.3ft²) per unit. In addition to the indoor amenity space, two outdoor amenity spaces are proposed, one on the rooftop and one in the rear yard, which would see a minimum of 865m² (9,310ft²) or 5.0m² (53.8ft²) per unit. This meets and exceeds significantly the Zoning Bylaw minimum requirement for apartment buildings of 3.0m² (32ft²) per unit, which can include a mix of both indoor and outdoor amenity space under the Six-Storey Apartment Residential (RM8) Zone. In addition to the indoor and outdoor common amenity spaces, each individual unit has its own balcony space.

Access and Parking

Vehicle access to the site and underground parking is provided from Henry Street through an internal roundabout. Parking provision proposes a total of 255 resident and visitor parking spaces, meeting the Zoning Bylaw requirement. The parking total includes 228 resident spaces and 27 designated visitor spaces, seven of which are accessible spaces. In accordance with the Zoning Bylaw, 100% of all residential parking spaces will be required to have electric vehicle charging infrastructure. A total of 262 long-term residential bicycle parking spaces are provided, which also meets the Zoning Bylaw requirement.

Since the January 25, 2020 Special Council meeting, an updated Traffic Impact Assessment has been submitted that reflects current and proposed development in the neighbourhood and has been reviewed by staff. In relation to the concern raised about traffic cutting through the neighborhood, staff are aware of this concern and are considering ways in which traffic calming measures, as part of existing or future capital projects that will require funding and Council approval, may be introduced to mitigate such concerns within the wider neighbourhood and how this project may contribute towards these through civil upgrades. It is though noted that public consultation, separate from this application, would be required before implementing traffic calming measures or changes to traffic operations along these corridors.

Streamside Protection

The subject property is within a highly sensitive ESA and bordered by two watercourses (Elginhouse Creek and an unnamed creek). The proposed Riparian Enhancement and Protection Area (RPEA) aligns with the Zoning Bylaw requirements for the two watercourses. As per section 5.4.3 (c) of the Zoning Bylaw, the 20m setback from Elginhouse Creek is reduced by no more than 20% at any one point (i.e. 16.0m) and the total length of area where the reduction occurs does not extend beyond 50% of the total setback length. The required 10m RPEA setback is proposed for the unnamed watercourse. The additional 5m Riparian Transition Area (RTA) may allow for pathways and trails, though further work and clarification on the nature and materials of this pathway is required.

It is also noted that since the application was considered by Council on January 25, 2020, following further discussions with staff, additional parkland dedication is now being proposed, which will see 8,005m² (86,162ft²) of land dedicated, which represents an increase of approximately 3,148m² (33,885ft²) or nearly a 65% increase from that previously proposed when the application was considered by both CPAC and Council. Areas outside the building footprint, will also be subject to covenants associated with the RPEA and RTA, which will ensure that these areas are also protected. The additional park dedication will also ensure that environmentally sensitive areas are under the control of the City and enables consideration for the future development of a formalized trail system in this area. It is further noted that the applicant has committed a contribution to the City of \$25,000 for trail construction and rehabilitation in this area and also \$54,000 in FireSmart wildland interface funding.

With regards to tree removal or alteration, 141 trees on-site are slated for removal or modification and, based on the current plans, 212 replacement trees are currently proposed. A detailed replanting plan will be finalized as part of the Development Permit process and a cash in lieu amount, of \$600 per tree, may be accepted for any trees that are unable to be replaced on-site, in order to meet the two-for-one replacement requirements of the City's Tree Protection Bylaw.

Affordable Housing

In line with OCP policy and other related City policy, including the recently-adopted Interim Affordable Housing Guidelines, staff have been working with the applicant to incorporate an affordable housing component within the project. Based on this, the following is proposed:

- up to 148.6m² (1,600ft²) of residential floor area to be provided to a non-profit affordable housing operator, likely in the form of a single strata unit, which includes two bedrooms and two lock-off suites;
- 17 units (10% of the total number of units) offered as rent-to-own to local buyers; and
- the inclusion of six units (3% of the total number of units) with lock-off suites which could serve as accessory dwelling units for relatives or for market rental units.

The affordable housing unit is to be allocated to a non-profit and will be secured via a Housing Agreement, further details of which will be brought forward to Council prior to, or at the time of the application proceeding to Public Hearing. As currently presented the proponent is proposing to provide \$200,000 towards the cost of the unit and is requesting a waiver of the one-third of the total Community Amenity Contribution (CAC) (approximately \$342,500 of \$1,038,000), that would normally go toward the Affordable Housing Reserve Fund. Additional costs associated with the provision of the unit would be borne by the non-profit. The proponent is in discussions with Kinsight as the potential non-profit to which the unit would be allocated. The finalized details in relation to this element will be formalized through a Housing Agreement Bylaw. It is noted that Council may, at its discretion, waive some or all of the CAC as part of a rezoning where affordable housing is being directly provided by the applicant. At this point, staff are not recommending waiving the CAC until further details are established. Ultimately, waiving of the CAC is something that Council would decide on when the details of the affordable housing component are finalized and at the time the related Housing Agreement Bylaw is brought forward for Council consideration.

Geotechnical Peer Review (pending)

Given the location of the site at the foot of the Chines hillside and that the lot falls within the Development Permit Area 5: Hazardous Conditions due to the existence of steep slopes and the potential for soil liquefaction, ensuring all geotechnical aspects associated with the project have been fully addressed is of paramount importance. Accordingly, a peer review of the submitted geotechnical report is being undertaken by the City, with the cost being recovered from the applicant. Given the importance of this element, staff are proposing to hold off on holding the Public Hearing for the OCP amendment and rezoning Bylaws until this aspect of the proposal is satisfactorily resolved.

Comparison with Previous Application

In comparison with the earlier application considered at the February 12, 2019 Regular Council meeting, the following key differences are identified:

- the new proposal's full compliance with the Zoning Bylaw's Streamside Protection setbacks;
- an increase of approximately 557m² (6,000ft²) in the gross floor area for the project and in the number of units from 145 to 173;
- an approximately 65% increase in parkland dedication to 8,005m² (86,162ft²) resulting in an increase in FAR (after park dedication) from 1.32 to 1.82;
- a reduced building footprint from 4,073.5m² (43,847ft²) to 3,026.3m² (32,575ft²); and
- the provision of 148.6m² (1,600ft²) of residential floor area to be provided to a non-profit affordable housing operator;

Sustainability Report Card

The completed Sustainability Report Card for the development proposal is included as **Attachment 6**; the following table summarizes the scoring. The scoring may be revised further as part of the finalizing of any future Development Permit for the project.

<div>Sustainability Pillar</div> <div>Application</div>	Cultural	Economic	Environmental	Social	Overall Total
Lots 17-20 Henry Street	73 (8 out of 11)	100% (7 out of 7)	58% (34 out of 57)	56% (23.5 out of 35)	66%

Implementation

Implementation of this project requires the following:

OCP amendment:

In addition to a change in land use designation to change a portion of the site from Multi-Family Residential to Parks and Open Space, in order to allow for an 11-storey building on this site, an OCP amendment for height is required, as under the Multi-Family Residential designation a maximum of six-storeys is permitted. Staff are supportive of the proposed OCP amendment, given the way in which the building terraces into the hillside and is significantly screened from neighbouring development to the west by large trees, that the overall FAR before land dedication would be only 0.99 and that the site is in relatively close proximity to rapid transit service and other amenities. The dedication of land to the City as park, the covenant protection afforded to the watercourses to the east and west and the proposed affordable housing component are also acknowledged as positive elements of the proposal.

In summary, the proposed OCP amendment will include the following:

- an amendment to the OCP to change the land use designation of a portion of the site to be dedicated to the City as park, from 'Multi-Family Residential' to 'Parks and Open Space', which will also require changes to other related maps in the OCP, including Map 1 – Overall Land Use Plan; Map 2 – Parks, Open Space, and Public Facilities; Map 6 – Bike Routes; and Map 7 – Pedestrian Routes;
- a text amendment to the OCP to allow for an 11-storey building on the subject property. OCP Amendment Bylaw No. 3258 is included as **Attachment 7**;

Rezoning:

- rezoning of the property from Acreage Reserve to Comprehensive Development Zone 57 (CD57) for the portion of the lot proposed for development of a 11-storey apartment building and to Civic Institutional (P1) for the portion to be dedicated to the City as park. Rezoning Bylaw No. 3259 is included as **Attachment 8**;

Additional approvals:

- a Housing Agreement Bylaw to establish the parameters of and implement the affordable housing component;

- Development Permits for form and character, hazardous conditions, and environmentally sensitive areas, which will be presented to Council for consideration at the time the above-referenced Bylaws are ready to be considered for adoption; and
- a consolidation of the four existing lots and subdivision to create one lot for the development and one lot for the park.

Concluding Comments

The proposed development, while requiring an OCP amendment for height to allow for an 11-storey building, is otherwise seen as in conformance with the applicable design guidelines. Other positive aspects of the development relate to the significant parkland dedication, protection of setback areas related to adjacent watercourses, and the affordable housing component. Overall, this project will provide additional housing options in proximity to transit, schools, and commercial uses on St. Johns Street, and is seen as representing a positive addition to the community.

Other Option(s)

THAT the report dated May 4, 2020, from the Planning and Development Department – Development Planning Division regarding OCP-Rezoning (Apartments) – Lots 17-20 Henry Street (Ankenman Marchand) be received for information and that the applicant be requested to update the proposal by addressing the following concerns/suggestions

Financial Implications

Community Amenity and Public Art Contributions

The applicant is required to pay the Community Amenity Contribution (CAC) amount, which will be established at the development permit stage once the final residential floor area is confirmed and prior to the adoption of Rezoning Bylaw No. 3259. Based on a current gross floor area, the contribution would be in the order of \$1,038,000. Of that total, the proponent is requesting a waiver for the approximately \$342,500 which would be allocated towards the affordable housing unit the project is providing, with the remaining \$695,500 going towards general community amenities. As stated earlier in the report, staff are not recommending waiving a portion of the CAC at this time.

The applicant has committed to either provide a contribution to the Public Art Reserve Fund or look to provide public art on site, which will be based on 0.5% of the cost of construction in accordance with the Public Art Policy. Based on a construction cost estimate, approximately \$250,000 is proposed to be allocated for this component.

It is also noted that the applicant has additionally proposed \$25,000 for trail construction and rehabilitation and also \$54,000 in FireSmart wildland interface funding.

The CAC and the Public Art Reserve Fund contribution are payable prior to adoption of the OCP Amendment Bylaw No. 3258 and Rezoning Bylaw No. 3259.

Communications and Civic Engagement Initiatives

In accordance with the City's Public and Stakeholder Consultation for Major Development Projects or Area Plans policy, opportunity for input from the general public and specific stakeholder groups was provided at a community information meeting facilitated by the applicant and attended by staff on September 9, 2019 to engage the public about the proposal and solicit feedback. Approximately 50 people attended the meeting, with total of 21 respondents submitting feedback forms, with 52% expressing support for the project and 48% not supportive, with the majority of concerns related to the environment, traffic, height/density, and architecture.

Should this rezoning application proceed to a Public Hearing, notices will be sent to adjacent properties within a 140m radius of the site and will be advertised in the local newspaper in accordance with the Development Approval Procedures Bylaw and the *Local Government Act*.

Council Strategic Plan Objectives

The proposal is consistent with the strategic priority of Community Evolution in the 2019-2022 Council Strategic Plan as it relates to the objective of ensuring that future community growth is carefully considered and strategically managed, consistent with the City's Official Community Plan.

Attachment(s)

1. Location Plan.
2. Watercourse Map.
3. OCP Land Use Designation Map.
4. Zoning Map.
5. Reduced Architectural and Landscaping Plans.
6. Sustainability Report Card.
7. Draft City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 25, 2020, No. 3258 (Lots 17-20 Henry Street).
8. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 41, 2020, No. 3259 (Lots 17-20 Henry Street) (CD57).

Report Author

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Senior Development Planner

Report Approval Details

Document Title:	OCP-Rezoning (Apartments) - Lots 17-20 Henry Street (Ankenman Marchand).docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Location Map.pdf- Attachment 2 - Watercourse Map.pdf- Attachment 3 - OCP Land Use Designation Map.pdf- Attachment 4 - Zoning Map.pdf- Attachment 5 - Reduced Architectural and Landscaping Plans.pdf- Attachment 6 - Sustainability Report Card.pdf- Attachment 7 - Draft OCP Amendment Bylaw No. 25, 2020, No. 3258.pdf- Attachment 8 - Zoning Bylaw Amendment Bylaw No. 3259.pdf
Final Approval Date:	May 22, 2020

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

Jeff Moi, General Manager of Engineering and Operations - May 21, 2020 - 11:32 AM

Lesley Douglas, General Manager of Environment and Parks - May 21, 2020 - 12:47 PM

Gary Penway, Manager of Development Planning - May 21, 2020 - 1:39 PM

André Boel, General Manager of Planning and Development - May 21, 2020 - 4:47 PM

Dorothy Shermer, Corporate Officer - May 21, 2020 - 4:57 PM

Rosemary Lodge, Manager of Communications and Engagement - May 22, 2020 - 8:08 AM

Paul Rockwood, General Manager of Finance and Technology - May 22, 2020 - 8:10 AM

Tim Savoie, City Manager - May 22, 2020 - 10:24 AM