



City of Port Moody

Report/Recommendation to Council

Date: October 29, 2020

Submitted by: Community Development Department – Development Planning Division

Subject: Temporary Use Permit – 2332 Clarke Street (CityState Consulting)

Purpose

To present for consideration a Temporary Use Permit (TUP) application by CityState Consulting for a long-term temporary storage facility for cars, trucks, buses, recreational vehicles, and boats.

Recommended Resolution(s)

THAT the requirement to refer Temporary Use Permit 3080-20-12 to the Community Planning Advisory Committee be waived as recommended in the report dated October 29, 2020 from the Community Development Department – Development Planning Division regarding Temporary Use Permit – 2332 Clarke Street (CityState Consulting);

AND THAT Temporary Use Permit 3080-20-12 be issued;

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

Background

CityState Consulting, on behalf of the property owner, has applied for a Temporary Use Permit (TUP) at 2332 Clarke Street to operate a long-term vehicle storage facility for cars, trucks, buses, recreational vehicles (including camper trailers), and boats. Although TUPs are permitted for a maximum of three years (plus an additional three year extension if approved by Council), the applicant is requesting that the TUP be approved for two years. The TUP is being requested while the property goes through the development process for a rezoning and development permit application, although the City has not yet received a formal submission. After the two year period, the applicant can request an extension up to an additional three years at the discretion of Council. The subject property is currently vacant and was last used by TransLink during the construction of the SkyTrain's Evergreen Extension. A draft TUP is included as **Attachment 1** and a location map is included as **Attachment 2**.

Under the City's Development Procedure Bylaw, No. 2918, a TUP application would be presented at a Community Planning Advisory Committee (CPAC) meeting. Given the limited timeline, scope, and impact of the project, staff recommend that this requirement would be waived.

Discussion

Temporary Use Permit TUP

A TUP is required to allow for temporary 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 TUP may be issued for a period of up to three years and may be renewed once, at the discretion of Council, for an additional period of up to three years.

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 (commercial and residential uses). The property also falls within Development Permit Area 2 (DPA2): Moody Centre, as well as the City's Heritage Conservation Area (HCA). The HCA is intended to recognize the historic value of the area, including a number of buildings on the heritage register. Any new development should conform to both the DPA2 and HCA design guidelines.

Zoning

The subject property is currently zoned Light Industrial (M1) Zone. The M1 Zone allows for a range of light industrial and indoor recreational uses that are typically enclosed in a building. While unenclosed storage is a secondary use within the M1 Zone, it would need to be accessory to a primary use on the site. The proposed temporary use is classified as a long-term storage facility, which is not permitted within the M1 Zone, therefore, a TUP is required.

Property Description and Site Conditions

The subject property is located on the north side of Clarke Street, west of Queens Street. The property is approximately 2,480m² (26,291ft²) in size and is zoned M1 which allows for light industrial uses. The site is currently vacant and has been used for staging purposes in the past during the construction of the Evergreen Extension to the Millennium SkyTrain Line.

The subject property is currently a vacant lot with gravel cover. A main driveway access exists at the centre of the front property line from Clarke Street. A secondary access also exists on the east side of the front property line from Clarke Street, with private easements allowing rear access for the properties to the east. The northern portion of the site is highly encumbered with multiple statutory rights-of-way in favour of the City of Port Moody, Metro Vancouver, and Telus. A condition of the TUP will require that these areas be limited to storage of cars and light trucks.

Site Plan

The site plan (**Attachment 3**) shows 45 rental stalls ranging from approximately 6m (20ft) to 12m (40ft) long. Both driveway accesses are proposed to be utilized. Due to the potential large vehicles entering and exiting the site, a turning analysis is required and will be a condition of permit issuance, if approved. The analysis will indicate the maximum length of vehicle that can safely enter and exit the site without impeding traffic on Clarke Street. In addition, a portable trailer is proposed near the front property line, to be used as an office for the storage facility.

Urban Forest

There is a large significant tree located at the southeast corner of the property. The applicant had recently applied to have the significant tree removed with rationale that it was hazardous. This request was denied as the tree was rated as low to moderate for risk by a third party consultant. Tree protection measures will be required to protect this tree from any potential damage associated with the storage of vehicles. Tree protection measures should reflect the requirements found in Schedule "D" of the Tree Protection Bylaw. The following activities are to be restricted within the tree protection zone (TPZ) unless approved:

- Machine excavation including trenching;
- Soil cultivation;
- Storage of materials or waste (including site soils or fill or parking of equipment);
- Preparation of any hard surface structures (walkways, sumps, driveways, patios);
- Grade changes (+/-);
- Installation of utilities (or decommissioning); and
- Physical damage to any protected on-site/off-site trees (including attaching any objects to stem/branches).

Public Art Display and Screening

Screening material is proposed to be installed on all fenced areas along Clarke Street. Similar to other TUP requests for outdoor/unenclosed storage uses, the applicant is proposing to work with the City's Cultural Services team to display photos of local artists' work along portions of the fence.

Conditions of TUP

Conditions of the TUP, include, but are not limited to:

- That a deposit of \$5,000 be required to ensure that the temporary use is removed when the permit expires. The deposit will be returned once the temporary use is removed;
- That a turning radius analysis be submitted and accepted by the City;
- That shipping containers not be permitted on the site;
- A requirement to maintain and provide existing oil water separation for parking areas (booms). Oil containment boom along site low points is acceptable;
- That no person occupy or live in any vehicles;
- That all plans and supporting information relating to this application be prepared, signed, and sealed by a Professional Engineer, certifying that all of the proposed works comply with the City's standards;
- That an erosion and sediment control (ESC) plan be required (SDSB, Section 5.15.6). These plans must be prepared by a Qualified Professional and shall be consistent with City of Port Moody Bylaw Stream and Design System Protection Bylaw, No.2407,

(Section 5.15.3 Schedule C). ESC plans for construction activities are required for review and acceptance by the City prior to granting a building permit. The ESC plans must provide details on arrangements made for site monitoring and reporting by a qualified professional;

- That only parked cars and light trucks be permitted on the statutory rights-of-way portion of the property. Written permission from the grantee(s) is required for any other type of storage designated by this temporary use;
- That temporary safety fencing be installed around the entire perimeter of the proposed development; and
- That the temporary use be for long-term storage, with typical number of daily total visits of up to five per day.

Other Option(s)

THAT Temporary Use Permit 3080-20-12 be denied.

Financial Implications

There are no financial implications associated with this report.

Communications and Civic Engagement Initiatives

In accordance with the City's Development Approval Procedures Bylaw, 2011, No. 2918, a notification sign was posted on the property, and notification of TUP consideration at the November 24, 2020 Regular Council meeting was mailed to all owners and occupants within 140m of the subject property. Advertisements of the Council meeting were placed in the November 12, 2020 and November 19, 2020 editions of the Tri-City News.

Council Strategic Plan Objectives

The proposal is consistent with the goals of the 2019-2022 Council Strategic Plan as they relate to Community Planning and the creation of a livable, vibrant, sustainable, orderly, and coordinated community.

Attachment(s)

1. Draft Temporary Use Permit 3080-20-12.
2. Location Map.
3. Site Plan.

Report Author

Wesley Woo, MCIP, RPP
Development Planner

Report Approval Details

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|----------------------|---|
| Document Title: | Temporary Use Permit – 2332 Clarke Street (CityState Consulting).docx |
| Attachments: | - Attachment 1 - Draft Temporary Use Permit 3080-20-12.pdf - Attachment 2 - Location Map.pdf - Attachment 3 - Site Plan.pdf |
| Final Approval Date: | Nov 16, 2020 |

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

André Boel, City Planner - Nov 10, 2020 - 1:22 PM

Kate Zanon, General Manager of Community Development - Nov 10, 2020 - 4:07 PM

Dorothy Shermer, Corporate Officer - Nov 12, 2020 - 8:07 AM

Rosemary Lodge, Manager of Communications and Engagement - Nov 13, 2020 - 1:02 PM

Paul Rockwood, General Manager of Finance and Technology - Nov 15, 2020 - 3:48 PM

Tim Savoie, City Manager - Nov 16, 2020 - 10:46 AM