1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda
Recommendation:
That the July 3, 2018, Regular Smart Growth Committee Meeting Agenda be adopted as circulated.

3. CONFIRMATION OF MINUTES

3.1 Minutes of Smart Growth Committee
Recommendation:
That the minutes of the following Smart Growth Committee Meetings be adopted:
- June 5, 2018, Regular Meeting

4. REPORTS

4.1 815 Village Drive – OCP & Rezoning Application Amendment
Recommendation:
That Smart Growth Committee recommend to Council that:
1) Having given consideration to s.475 of the Local Government Act, the following consultation for the proposed Official Community Plan amendment be confirmed:
   (a) the applicant’s consultation with the community,
   (b) on-site signage, and
   (c) consideration of the application by Smart Growth Committee in open meetings.
2) The Official Community Plan be amended to include a new land use designation, Transit Corridor Commercial, and associated policy;
3) The land use designation for the mixed commercial/residential use portion of Fremont Village be changed from Highway Commercial to Transit Corridor Commercial;
4) Comprehensive Development Zone 31 be amended to
   a) allow community commercial uses without being restricted as to size or percentages,
   b) allow 767 dwelling units of which 473 may locate in area C-1;
   c) permit residential visitor parking spaces shared with commercial parking spaces.
5) The following conditions be met prior to adoption of the bylaw amendments to the satisfaction of the Director of Development Services:
   a) Submission of a report from an acoustical engineer with recommendations to mitigate highway noise for dwelling units and outdoor play spaces, if required, and registration of a legal agreement to ensure the dwelling units are constructed in accordance with the consultant’s recommendations;
   b) Submission of sufficient fees and securities to ensure construction of a landscaped sound barrier along Lougheed Highway;
   c) Amendment of the design concept to include a children’s playground designed to meet the needs of toddlers and young children living in Fremont Village;
d) A determination of requirements for the applicant to comply with the City’s density bonus policy for the additional dwelling units and the applicant fulfilling these requirements;

  e) A housing agreement to ensure:

  i) dwelling units within area C-1 will be restricted to rental occupancy for at least 10 years following the date of final occupancy; and,

  ii) 27 dwelling units to be rented as affordable units in perpetuity.

4.2 3190 – 2850 Shaughnessy Street (Shaughnessy Station Mall)  
Rezoning Application RZ000149 for a large child care facility

Recommendation:

That Smart Growth Committee recommend to Council that the application to amend the Zoning Bylaw to allow for a child care facility accommodating 136 children at #3190-2850 Shaughnessy Street be refused.

4.3 2748 Lougheed Highway – Development Permit DP00340

Recommendation:

That Smart Growth Committee approve Development Permit DP00340 to regulate parking, fence and landscaping on a previously unopened portion of Shaftsbury Avenue and on an adjacent lane (2748 Lougheed Highway).

5. NEW BUSINESS

6. ADJOURNMENT

6.1 Adjournment of the Meeting

Recommendation:

That the July 3, 2018, Regular Smart Growth Committee Meeting be adjourned.
Smart Growth Committee Regular Minutes
Heritage Room, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC
June 5, 2018

Present: Chair – Councillor Forrest
Councillor Dupont
Councillor Penner
Councillor Washington
Mayor Moore

Absent: Councillor Pollock
Councillor West

1. CALL TO ORDER
The meeting was called to order at 4:35 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda
Moved - Seconded:
That the June 5, 2018, Regular Smart Growth Committee Meeting Agenda be adopted as circulated.
Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of the March 13th and May 1st, 2018, Special Smart Growth Committee Meetings
Moved - Seconded:
That the March 13th and May 1st, 2018, Special Smart Growth Committee Meeting Minutes be adopted.
Carried

4. REPORTS

4.1 1545, 1575, 1515 & 1491 Kingsway Avenue – Watercourse Development Permit DP000332
Moved - Seconded:
That Smart Growth Committee approve Development Permit DP000332 to provide for watercourse protection and enhancement at 1545, 1575, 1515 and 1491 Kingsway Avenue.
Carried
Opposed: Mayor Moore

4.2 1545 and 1575 Kingsway Avenue – Development Permit DP000331
Moved - Seconded:
That Smart Growth Committee approve Development Permit DP000331 to regulate an industrial development at 1545 and 1575 Kingsway Avenue.
Carried
4.3 3273 Lancaster Avenue – Watercourse Development Permit DP000297
Moved - Seconded:
That Smart Growth Committee approve Development Permit DP000297 to provide for the protection and enhancement of a watercourse at 3273 Lancaster Street.
Carried

4.4 1161 Kingsway Avenue – Rezoning Application Extension RZ000127
Moved - Seconded:
That Smart Growth Committee extend the date of expiry for adoption of Zoning Amendment Bylaw No. 3995 to March 28, 2019.
Carried

4.5 1840 Broadway – Rezoning Application RZ000148
Moved - Seconded:
That Smart Growth Committee postpone a decision on the 1840 Broadway rezoning application until the following is provided, in addition to the original report:

- An outline of the Health Canada approval process for medical marihuana processing facilities, including whether final reading of a rezoning bylaw is needed before Health Canada approval can be given to a facility application; and
- Additional information on options to monitor and regulate odour control,

Additionally, staff are directed that a traffic study not be required for the application.
Carried

5. NEW BUSINESS
None.

6. RESOLUTION TO CLOSE

6.1 Resolution to Close the June 5, 2018, Regular Smart Growth Committee Meeting to the Public
Moved - Seconded:
That the Regular Smart Growth Committee Meeting of June 5, 2018, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 4.1
l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

Carried
RECOMMENDATIONS:
That Smart Growth Committee recommend to Council that:

1) Having given consideration to s.475 of the *Local Government Act*, the following consultation for the proposed Official Community Plan amendment be confirmed:
   a) the applicant’s consultation with the community,
   b) on-site signage, and
   c) consideration of the application by Smart Growth Committee in open meetings.

2) The Official Community Plan be amended to include a new land use designation, Transit Corridor Commercial, and associated policy;

3) The land use designation for the mixed commercial/residential use portion of Fremont Village be changed from Highway Commercial to Transit Corridor Commercial;

4) Comprehensive Development Zone 31 be amended to
   a) allow community commercial uses without being restricted as to size or percentages,
   b) allow 767 dwelling units of which 473 may locate in area C-1;
   c) permit residential visitor parking spaces shared with commercial parking spaces.

5) The following conditions be met prior to adoption of the bylaw amendments to the satisfaction of the Director of Development Services:
   a) Submission of a report from an acoustical engineer with recommendations to mitigate highway noise for dwelling units and outdoor play spaces, if required, and registration of a legal agreement to ensure the dwelling units are constructed in accordance with the consultant’s recommendations;
   b) Submission of sufficient fees and securities to ensure construction of a landscaped sound barrier along Lougheed Highway;
   c) Amendment of the design concept to include a children’s playground designed to meet the needs of toddlers and young children living in Fremont Village;
   d) A determination of requirements for the applicant to comply with the City’s density bonus policy for the additional dwelling units and the applicant fulfilling these requirements;
   e) A housing agreement to ensure:
      i) dwelling units within area C-1 will be restricted to rental occupancy for at least 10 years following the date of final occupancy; and,
      ii) 27 dwelling units to be rented as affordable units in perpetuity.

PREVIOUS COUNCIL/COMMITTEE ACTION
At the July 13, 2017, Smart Growth Committee meeting, the following motion was passed:
*In consideration of an application to amend Official Community Plan policies to allow community commercial uses in the Fremont Village development, as well as additional residential units, that required consultation include an advertised opportunity for public comment at the Smart Growth Committee meeting, consultation with the downtown BIA and*
Committee also provided the following direction to the applicant:

“...consider replacing the proposed mixed-use commercial developments with more residential units as part of the proposed consultation process and ... obtain the opinions of business owners located throughout the community as part of that consultation.”

At the March 20, 2018, Smart Growth Committee meeting, Committee requested that the applicant provide:

“...further information on options to accommodate additional community commercial uses, provision of rental / social housing units and redesign of the village concept to reflect the change in vision”.

Re Official Community Plan Land Use Policy:

At the May 11, 2017 Smart Growth Committee meeting, Committee resolved,

“That the Official Community Plan update include ... policies to permit and guide transit-oriented development of nodes at rapid bus stop locations along the Lougheed Highway...”

REPORT SUMMARY

This report describes Onni’s application to amend regulations currently in place for Fremont Village to change the vision it would be a highway-oriented commercial centre to that of a vibrant mixed-use centre. Onni wishes to be permitted to lease more of its commercial spaces to community commercial uses and to construct up to 473 dwelling units in accordance with this vision, whereas it is currently restricted to a larger, highway-oriented commercial tenants and a maximum of 200 dwelling units. Onni advises it has been unable to find commercial tenants within its current zoning restrictions due to a changing commercial market.

A new designation, Transit Corridor Commercial, is proposed to be included in the Official Community Plan in keeping with the City’s direction to allow for lands along the Lougheed Highway corridor to transition to higher density and mixed-use, transit-oriented development. As the update to the Plan has been deferred to 2019, bringing forward the designation at this time is proposed to accommodate the applicant’s proposal in keeping with the intended direction.

The report further recommends the comprehensive development zone be amended in keeping with the change in vision. It proposes that Committee set a number of conditions to be met prior to bylaw amendment, including a requirement that the dwelling units remain rental for a minimum of ten years and that 10% of the additional units be affordable rental units (27 units). Other conditions are recommended to ensure mitigation of noise impacts of Lougheed Highway on dwelling units, an enhanced pedestrian realm, appropriate on-site space for children’s play, compliance with the City’s density bonus policy.

BACKGROUND

The adoption of the Official Community Plan in 2005 resulted in what is now known as Fremont Village being included in a “Highway Commercial” land use designation. Associated policies endorsed at the time reflected the Plan’s vision for the Dominion Triangle to develop as a highway-oriented commercial area attracting a regional market and an expectation that, as such, the area would not significantly
impact businesses in the Downtown and Northside Centre. To achieve this policy direction, the regulations for Fremont Village generally restricted commercial uses to large format retail (big box) with substantial parking. The concept also allowed for residential uses as part of a comprehensive development to locate within the Highway Commercial designation of the Plan. Over time, provision has been also made for smaller tenancies, both in response to applications from the developer as well as its tenants.

After determining that the site’s geotechnical conditions would not accommodate high rise construction, Onni’s original concept to build two high rise apartment buildings with 550 units in the area shown below as “C-2" was replaced by two six-storey buildings with 294 units. These buildings are now under construction.

<table>
<thead>
<tr>
<th>Official Community Plan</th>
<th>Existing Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Land Use Designations</td>
<td>(mid-2016)</td>
</tr>
</tbody>
</table>

The large format retail sites to the north of Fremont Village, which include the Walmart and Canadian Tire businesses, are successfully developed in accordance with their highway commercial land use designation and zoning. However, the comprehensive commercial development envisaged for Fremont Village has been only partially completed with single-storey commercial buildings accommodating mid-sized retail and highway commercial uses. Approximately 1/3 of the commercial buildings remain unoccupied despite being built several years ago and approximately 25% of the site is still undeveloped.

Given the changing retail market, in 2017 Onni submitted an application to be permitted to reduce its permitted commercial square footage, allowed to have the full complement of retail and personal services uses located in smaller premises, and construct more residential units. As noted in the staff report to Committee in July 2017, Onni had provided a Retail Impact Assessment in support of this amendment. Its consultant concluded:

“The proposed [OCP amendment and] rezoning does not fundamentally change the role or primary customer draw of Fremont Village. The inclusion of some smaller stores and services (many of the same type already allowed under the CD31 guidelines) is expected to have little or no impact on shopping patterns in the Downtown or Northside. Due to wide differences in terms of locations, character, anchor tenants, business types/tenant mix, parking, and rental rates, Fremont Village, the Downtown, and Northside do not directly compete for tenants or...
shoppers. Since Onni began marketing Fremont Village several years ago, no tenants have relocated to the site from the Downtown and only one from the Northside.”

In order to assess these findings, the City had engaged a consultant to provide a peer review. Also as noted previously to Committee, that review confirmed the overall conclusions of the applicant and supported a recommendation to amend the Official Community Plan for Fremont Village to change the Highway Commercial designation to permit community-serving uses. The Downtown Business Improvement Association submitted a letter indicating it did not support the amendment, noting its concern with potential impact on its members.

To accommodate the requested changes, Onni proposes to redesign the buildings which have not yet been built. In general, its proposal is to shrink the footprint of buildings “R”, “S” and “T” and replace an upper storey commercial space with five residential storeys. Residential parking for tenants is proposed to be underground, 130 residential visitors’ parking spaces would be at-grade and 5 spaces underground, and commercial parking would be at grade in the surface lots. Building “P” would also be redesigned to replace a second floor commercial floor area with five floors of residential, locating its resident parking underground (213 spaces), visitors’ parking at grade (34 spaces), and commercial parking (100 spaces) underground and at grade. The applicant also proposes to enhance the landscaping compared to that proposed for the commercial development and treat some of the parking areas with brick pavers. The net changes are summarized in the following table:

<table>
<thead>
<tr>
<th>Fremont Village</th>
<th>Permitted per CD31</th>
<th>Proposal July 13th, 2017</th>
<th>Proposal July 3rd, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial floor area</td>
<td>36,017 m²</td>
<td>26,414 m² (reduced by 9,603 m²)</td>
<td>22,792 m² (reduced by 13,225 m²)</td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot C-1 (mixed-use development)</td>
<td>Up to 200 units</td>
<td>303</td>
<td>473</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(103 more than permitted)</td>
<td>(273 more than permitted)</td>
</tr>
<tr>
<td>Lot C-2 (residential)</td>
<td>Up to 600 units</td>
<td>294 units (306 less than permitted)</td>
<td>294 units (under construction)</td>
</tr>
<tr>
<td>Total Residential (C-1 and C-2)</td>
<td>Maximum 600 units</td>
<td>597</td>
<td>767; (273 more units in C-1; 167 more than zoned)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3 less than zoning total)</td>
<td></td>
</tr>
<tr>
<td>Rental* (10 year commitment)</td>
<td>Not applicable</td>
<td>n/a</td>
<td>273</td>
</tr>
<tr>
<td>Rental, reduced rent</td>
<td>Not applicable</td>
<td>n/a</td>
<td>27 (10%)</td>
</tr>
</tbody>
</table>
Amended proposal July 2018 – yellow-shaded text boxes indicate proposed construction

Proposed site development showing building footprints, surface parking and landscaping
DISCUSSION

Official Community Plan amendment: The current “Highway Commercial” land use designation and policies of the Official Community Plan are not considered to accommodate the intensity and type of land uses requested by Onni and the Plan must be amended for approval of the requested change in zoning. The recommendation that the Plan include a new designation, Transit Corridor Commercial, is in keeping with the direction provided by the Smart Growth Committee in 2017. While the update to the Official Community Plan in 2019 is anticipated to include other areas in this land use designation, a site-specific amendment is proposed for the Fremont Village lifestyle centre to accommodate the applicant’s timing. Amending the Plan would recognize the proximity of Fremont Village to the Lougheed Highway corridor, enhanced transit service to be located on Lougheed, and the increasing role that the center plays in serving the eastern part of Port Coquitlam.

The following policy is also proposed to be included in the OCP amendment to guide applications for rezoning in the new land use designation of Transit Corridor Commercial:

That an amendment to the Zoning Bylaw to provide for a transit-oriented mixed use development will:

a. include housing that will deliver a defined public benefit, such as secured rental, special needs, family-oriented, or non-market units;

b. provide for development of an enhanced pedestrian and cycling-oriented streetscape with wider sidewalks, lighting, and street trees as well as infrastructure such as bus shelters, cycling facilities and crosswalks to promote connectivity; and,

c. require project designs to mitigate the impact of the highway location including noise and pollution mitigation features.

Zoning Bylaw Amendment and Conditions to be met prior to Bylaw Adoption: The proposed bylaw amendment would decrease the maximum amount of permitted commercial space, allow a full range of community commercial uses, increase the maximum number of dwelling units and allow more dwelling units to be located within area C-1. Attachment 2 presents a proposed draft amendment to the existing Comprehensive Development Zone 31 with these changes.

In Committee’s previous consideration of the proposal, the Downtown Business Improvement Association had advised it did not support the application due to concern an increased number of smaller-scale commercial uses in Fremont Village could impact the viability of its businesses. Committee requested staff provide information on options to the amendment as proposed with the intent that the bylaw could continue to distinguish between the size and type of commercial uses permitted in the Downtown and North Side compared to that permitted in Fremont Village. The primary option would be to continue to maintain a maximum percentage of community commercial uses, but increase that number, or continue to require these uses to locate in larger premises, but reduce that size. Staff do not recommend either direction as it would be difficult to administer and unlikely to achieve the desired objective. If the increase in dwelling units is approved for Lot C-1, then residents are likely to anticipate having access to a full range of community commercial uses within their neighbourhood.
Official Community Plan Amendment and Rezoning Applications for Fremont Village (815 Village Drive)

Onni has determined that it is possible to locate the parking for residents, but not visitors, within the buildings. The zoning bylaw amendment as drafted would allow for residential visitor spaces to be located in the surface parking being developed for the commercial uses and shared with this use. Such parking arrangements are generally common in larger mixed-use centres and the proposal is not expected to create any significant issues.

Onni has submitted preliminary design information indicating how it would accommodate the additional dwelling units, but has not finalized a number of detailed design issues. The following conditions precedent to bylaw adoption are recommended to ensure residents’ needs would be met in the future development:

- submission of a design for an appropriate children’s play space,
- confirmation that the proposed pedestrian and bicycle connections meet residents’ needs for convenient, safe access to transit stops and other destinations; and
- a determination that the impact to residents from high traffic volumes on Lougheed Highway can be mitigated by submission of a report from an acoustical engineer with recommendations to mitigate highway noise for dwelling units and outdoor play spaces, if required, registration of a legal agreement to ensure the dwelling units are constructed in accordance with the report, and construction of an acoustical fence.

Onni proposes to operate 10% of the additional units (i.e., 27 units) in accordance with the housing income limits set by BC Housing. The City can ensure provision of the affordable units by requiring a housing agreement and an appropriate monitoring system could be defined in drafting the agreement.

The change from a higher percentage of commercial space to more residential units may result in increased property value. The City would need to determine if an increase in value is realized as would be determined by a 3rd party appraisal (paid for by the applicant). Once this information is obtained, a report would be submitted to Committee for further consideration to ensure compliance with the City’s policy.

**FINANCIAL IMPLICATIONS**

The request to increase residential density and decrease in commercial square footage with a change in commercial uses will impact tax revenues. With the consultant indicating limited demand for the approved amount of commercial square footage, amending the Official Community Plan as requested is expected to facilitate completion of the Fremont Village development, increasing overall tax revenue, whereas a decision to not amend the bylaw at this time would continue the issue of vacant retail space and vacant development sites, to the detriment of both revenues and the surrounding area.

**PUBLIC CONSULTATION**

As part of its consultation in 2017, Onni reached out to existing businesses at Fremont Village by hand-delivering letters and following up with emails, contacted residents located in the Fremont Neighbourhood by emailing the strata management, mailed information to 496 business addresses in
the Northside Center and Ottawa Street commercial area, and met with the Port Coquitlam Business Improvement Association (BIA).

The requested amendment to an Official Community Plan requires confirmation of the opportunities for consultation with the public as recommended by this report.

OPTIONS
Smart Growth Committee may:

<table>
<thead>
<tr>
<th>#</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Proceed with consideration of the Official Community Plan and Zoning bylaw amendment as described in this report to change the designation of Fremont Village to Transit Corridor Commercial and to amend Comprehensive Development Zone 31.</td>
</tr>
<tr>
<td>2</td>
<td>Request additional information prior to considering the recommendations of this report, or</td>
</tr>
<tr>
<td>3</td>
<td>Determine that it does not wish to amend the Official Community Plan and Zoning Bylaw as requested. Pursuant to the delegated authority bylaw, the applicant may appeal the decision to Council.</td>
</tr>
</tbody>
</table>

ATTACHMENTS
Attachment #1: Draft CD-31 Amendment

Note: Reports referenced in this report and previously considered by the Smart Growth Committee are available from the Planning Division on request or may be viewed on the Smart Growth Committee’s agenda pages posted on www.portcoquitlam.ca.
CD31 Comprehensive Development Zone 31 (Fremont Village)

Figure 6.31

![Map of CD31 Comprehensive Development Zone 31](image)

**Property Description**
Area C-1 - Lot 3, Block 6N, Section 8, Range 1E, New West District, Plan BCP45149
Area C-2 - Lot A, Block 6N Section 8, Range 1E, New West District, Plan BCP49178

**Permitted Uses**

Table 6.31.1: Comprehensive Development Zone 31 Permitted Uses

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Lot C-1</th>
<th>Lot C-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory home business</td>
<td>■</td>
<td>■</td>
</tr>
<tr>
<td>Apartments</td>
<td>■</td>
<td>■</td>
</tr>
<tr>
<td>Note 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boarding</td>
<td>■</td>
<td>■</td>
</tr>
<tr>
<td>Note 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care facilities</td>
<td>■</td>
<td>■</td>
</tr>
<tr>
<td>Note 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial indoor recreation</td>
<td>■</td>
<td>■</td>
</tr>
<tr>
<td>Note 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community commercial uses permitted in the CC-Community Commercial Zone</td>
<td>■</td>
<td></td>
</tr>
<tr>
<td>Drive-through restaurants,</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Note 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drive through financial institutions –</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Note 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neighbourhood pub</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Note 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Packaged liquor sales</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Note 9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks and playgrounds</td>
<td>■</td>
<td>■</td>
</tr>
</tbody>
</table>
Notes to Table 6.31.1

Note 1. The symbol ■ indicates that the use is permitted in the lot in question. The symbol S indicates that the use is permitted in the zone at a specified location.

Note 2. Apartment uses are subject to the following conditions:

a. Premises for apartment uses in Lot C-1 shall be located above the first storey of a building and shall have a separate entrance at ground level;

b. No uses other than apartment use shall be located on the same storey as an apartment use other than accessory home business, child care facilities and boarding uses; and

c. Dwelling units must have an interior floor area of at least 45 m$^2$.

Note 3. One boarder is permitted per apartment dwelling provided that the apartment has at least two bedrooms and two bathrooms.

Note 4. The conditions of s.8.5 apply to child care facilities in this zone.

Note 5. Commercial indoor recreation use in Lot C-2 is permitted within an apartment building provided that the building has at least 150 dwelling units.

Note 6. Premises for drive-through restaurant use shall be located west of Lot C-2 and must not be located adjacent to the promenade with the exception of drive-through restaurant premises flanking Sherling Avenue.

Note 7. Premises for drive-through financial institutions shall be located west of Lot C-2 and must not be located adjacent to the promenade with the exception of drive-through financial institutions flanking Sherling Avenue.

Note 8. No more than one neighbourhood pub with up to 125 indoor seats and 52 outdoor patio seats is permitted.

Note 9. Packaged liquor sales use is permitted in no more than one liquor retail outlet with a floor area of up to 2,044 m$^2$.

Regulations

Table 6.31.2: Comprehensive Zone 31 Regulations

<table>
<thead>
<tr>
<th>Lot</th>
<th>Building Height</th>
<th>Floor Area Ratio</th>
<th>Lot Coverage</th>
<th>Setback</th>
<th>Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot C-1</td>
<td>25 m Note 1</td>
<td>-</td>
<td>50%</td>
<td>9 m Note 5</td>
<td>Maximum 473 units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Note 6</td>
</tr>
<tr>
<td>Lot C-2</td>
<td>12 m Note 1</td>
<td>0.50 Note 2</td>
<td>80% Note 4</td>
<td></td>
<td>Maximum 600 units</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Note 6</td>
</tr>
<tr>
<td>Lot C-2 with</td>
<td>85 m Note 1 &amp; 3</td>
<td></td>
<td>80% Note 4</td>
<td></td>
<td>Maximum 600 units</td>
</tr>
<tr>
<td>bonus density</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Note 6</td>
</tr>
</tbody>
</table>

Notes to Table 6.31.3

Note 1. “Finished grade” for the purpose of the calculation of height is the elevation level 5.15 geodetic.
Note 2. In the calculation of floor area ratio, the following may be excluded as floor area:
   a. Floor area comprising entrances, elevator shafts, stairwells and hallways common to two or more dwelling units, electrical rooms and mechanical rooms;
   b. Exterior balconies and decks;
   c. Floor area within a basement or underground structure; and
   d. Floor area within the building used for required off-street parking.

Note 3. The floor area ratio of an apartment building may be up to 4.25 if the following condition for bonus density is met:
   a. The design and construction of the building achieves a minimum LEED® (Silver) Certification or equivalent, as determined by a certified professional.

Note 4. Underground parking structures and floor area used for off-street parking within a building may cover up to 95% of Lot C-2.

Note 5. All setbacks from a provincial highway must be at least 9 m.

Note 6. A combined total of 767 dwelling units may be located within this zone.

Additional Regulations

INDOOR AMENITY SPACE AND OPEN SPACE

For the purposes of this section, “indoor amenity space” is a common area within a building designed to accommodate meetings, fitness or recreational activities available for use by occupants of the building and “usable open space” is a common outdoor area available for recreation and leisure activity use by all residential occupants within this zone.

1. Apartment uses in Lot C-1 must provide:
   a. Indoor amenity space in the amount of 2 m$^2$ per dwelling unit; and
   b. Usable open space in the amount of 3.5 m$^2$ per dwelling unit.

2. Apartment uses in Lot C-2 must provide:
   a. A combined total amount of indoor amenity space and usable open space of at least 400 m$^2$;
   b. At least 25% of the total amount of indoor amenity space and usable open space provided within this lot must be indoor amenity space; and
   c. At least 50% of the total amount of indoor amenity space and usable open space provided within this lot must be usable outdoor space.

ON-SITE CIRCULATION AND LANDSCAPING

3. A driveway must be provided at the time any part of the portion of Lot C-1 located south and east of the intersection between Hawkins Street and Sherling Avenue is developed for a permitted use. For this purpose, a “driveway” means a connection for vehicles and pedestrians connecting to Sherling Avenue at either end and comprised of the following:
a. Paved driveway with an average width of 6.4 metres, curb and gutter; and
b. A sidewalk with a minimum width of 1.5 metres wide adjacent to the driveway.

4. A promenade must be provided at the time any building abutting a driveway within Lot C-1 is constructed. For this purpose, “promenade” means a landscaped connection for vehicles and pedestrians connecting to Sherling Avenue at either end and comprised of the following:
   a. A paved road with a width of at least 18 m at portions of the road providing angle parking on the same side of the road as the building and circulation for vehicles;
   b. Pedestrian promenade crossings with a width less than 6.6 m;
   c. Sidewalks on the side of the road as the building with a minimum width of 3.0 m metres; and
   d. At least 1 tree per 9m length of any sidewalk.

5. An outdoor amenity space of least 1500 m$^2$ must be provided, and for this purpose “outdoor amenity space” is a common area developed with a combination of landscaping, seating, pedestrian lighting, public art, and performance space.

6. The following areas must be provided:
   a. In Lot C-1:
      i. A lighted pedestrian path to connect the building with the on-site parking area, and for this purpose “pedestrian path” means a sidewalk at least 1.80 m in width and a landscaped strip with an average width of 1.5 m on each side;
      ii. A landscaped strip with an average width of 2.0 m and minimum width of 1.5 m along the boundaries;
      iii. A landscaped strip with an average width of 3.0 m and minimum width of 2.0 m abutting Lougheed Highway and the Fremont Connector;
      iv. Landscaped islands at least 2 m in width and 5.5 m in length at the terminus of all parking aisles, each planted with at least one tree;
      v. Off-street parking areas with at least 1 tree per 2.5 parking stalls interspersed within the parking area; and
      vi. A landscaped outdoor amenity area.
   b. In Lot C-2:
      i. A landscaped area constituting a minimum of 5% of Lot C-2 area; and
      ii. At least 1 tree per 9 m length of sidewalk on each side of any sidewalk.

OFF-STREET PARKING
7. Parking for apartment uses must be provided underground or within a structure.
8. Notwithstanding Section 7:
a. Up to 40 parking spaces required for visitor parking purposes at Lot C-2 may be
located at grade within Lot C-1; and
b. Visitor parking spaces required for an apartment use at Lot C-1 may be provided at
grade within Lot C-1.

9. Signage must be provided within Lots C-1 and C-2 to indicate where residential visitors
are permitted to park.

BICYCLE STORAGE

10. Despite Section 11 of Parking and Development Management Bylaw, 2005, No. 3525,
bicycle parking facilities must be capable of storing one bicycle per 1.7 dwelling units in
Lot C-2.
#3190 - 2850 Shaughnessy Street (Shaughnessy Station Mall)  
Rezoning Application RZ000149 for a Large Child Care Facility

RECOMMENDATION:

That the Smart Growth Committee recommend to Council that the application to amend the Zoning Bylaw to allow for a child care facility accommodating 136 children at #3190 – 2850 Shaughnessy Street be refused.

PREVIOUS COUNCIL/COMMITTEE ACTION

Smart Growth Committee resolution July 27, 2016:

That the application to amend the Zoning Bylaw to allow for a child care facility accommodating up to 136 children at 3190 – 2850 Shaughnessy Street be refused.

Smart Growth Committee resolution October 27, 2016:

That Council be advised that the additional information [provided by the applicant to Council] be received for information.

Council resolution November 14, 2016:

That the application to amend the Zoning Bylaw to allow for a child care facility accommodating up to 136 children at #3190 – 2850 Shaughnessy Street be refused.

REPORT SUMMARY

Terracap Corp., owner of the Shaughnessy Station Shopping Centre at the corner of Lougheed Highway and Shaughnessy Street, resubmitted its application to rezone a vacant commercial unit within the centre to allow a child care facility accommodating 136 children. The application is similar to that refused by Council in late 2016 with the exception of the two outdoor play space locations. The July 2017 submission relocated the one of the required outdoor play spaces from the north side of the building to the south side; a revised March 2018 submission removed the outdoor play space from the west side of the building and proposed it be located on its north side along with an expansion to the space on the south. The locations of these play areas is a significant concern due to their exposure to fumes and noise associated the CP Rail operations and Shaughnessy Street traffic and the report recommends the rezoning application be refused.

The applicant has not presented information that could address staff’s concerns. Information to assist in a determination of whether or not the proposal would be acceptable would be expected include provision of a site-specific air quality analysis, an assessment of the visual impact of the noise-attenuating fence, comment from CP Rail on the application, and input from Fraser Health. If Committee wishes to further consider the application, the report presents an option that the applicant be requested to provide specified information prior to Committee making a decision on the application.

BACKGROUND

The following events and actions are relevant in consideration of the proposed child care facility and child care within the City:
February 16, 2016. An initial rezoning application to allow for a child care facility accommodating 107 children (later increased to 136 children) to occupy a vacant commercial space in the former Canadian Tire building was received.

July 27, 2016: Smart Growth Committee considered the attached staff report on the proposed large child care facility and recommended Council refuse the application.

September 19, 2016: The Smart Growth Committee’s report to Council recommending refusal was scheduled for Council’s consideration. However, the applicant provided Council members with a large package of information immediately prior to its consideration of Committee’s report and Council referred this material to Committee for review.

October 27, 2016: Smart Growth Committee assessed the additional information and determined it would uphold its original recommendation to refuse the application.

November 14, 2016: Council considered the initial and further information reports from the Smart Growth Committee. Prior to its decision, Council also heard from two delegates who raised concern about the appropriateness of the location as well as heard from the potential operator of the facility and the architect in support of the application. Council determined it would refuse the application.

May 11, 2017: Smart Growth Committee heard from child care operators as part of its consideration of amending the City’s child care regulations. Amended regulations were subsequently adopted by Council. In addition, the Sustainability and Environment Committee charged was with considering ways to enhance and assist the development of child care facilities in the City.

July 18, 2017: The architect, Michael Burton Brown, submitted a new rezoning application for the large child care facility (similar to the one previously proposed) on behalf of the owner, Terracap. Following an initial review, the applicant was advised that staff would be seeking the following information:

- A response from Fraser Health to determine if it would be prepared to issue a licence for a child care facility at this location or if it would have any specific requests that could be met through the rezoning process that would support a licence;
- An assessment of anticipated information from an in-process study on child care needs within the Tri-Cities being undertaken on behalf of the United Way, in order to determine if the information would inform the rezoning process.

In the fall, the applicant was informed that the City was considering a pedestrian/cycle connection between Shaughnessy Station and the Downtown and it would be necessary to determine if the desired connection would impact the application.

February 13, 2018: The Finance and Intergovernmental Committee approved a recommendation from the Downtown Oversight Committee to include funding in the 2018 Financial Plan to provide for an assessment of options for a pedestrian connection (overpass or
underpass) and its impacts. Proceeding with this work is pending direction from the Downtown Oversight Committee.

- March 13, 2018: Abbarch Architects submitted a revised submission package which relocated the outdoor play space from the west side yard to occupy a larger portion of the parking area at the back of the property on the south and added back a play area adjoining Shaughnessy Street in the front of the building. The narrow west side yard was shown as “pedestrian link”.

<table>
<thead>
<tr>
<th>Shaughnessy Station context</th>
<th>March 2018 Submission</th>
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<td>(play area on the north not identified)</td>
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DISCUSSION

A. 2016 Application: In reporting on the original application, staff raised a number of significant concerns about the appropriateness of the proposed location for a daycare as well as demand for a facility of this size at this location. Identified concerns included:

- proximity of the proposed outdoor play area along the west side of the building to Shaughnessy Street and the CP Rail tracks, including the visual impact of a sound-attenuating fence adjacent to the sidewalk and shading of the play area by this fence
- traffic impacts from vehicles at peak pick-up and drop-off times (the requested capacity of 136 children is similar to a small school)
- traffic impacts as well as safety issues related to small children regularly crossing Shaughnessy Street to get to Lions Park
- if commercial site remediation standards would be sufficient for a day care use, and
- compliance with Official Community Plan policies and land use designation.

Council was advised that the type of facility being proposed by the potential operator, Willowbrae, would be supported in locations elsewhere within the community, such as at Fremont Village. Staff further indicated their expectation that in the future, a larger child care
facility at Shaughnessy Station could be supported if integrated within a comprehensive redevelopment as a transit-oriented, mixed use development including residential uses.

A variety of reasons explaining the vote to either refuse or support the application were cited by members of Council, prior to the 5-2 vote. The development procedures bylaw allows for a refused application to be resubmitted six months after the date of Council’s refusal.

B. July 2017/March 2018 Application: The application resubmitted in July maintained the original proposal to locate an outdoor play space in the west side yard and added a play area to the south, removing the play area formerly proposed in front of the building. The proposal was changed in March 2018 to remove the proposed play area along the west side of the building and put it back on the north side.

Issues associated with the current application include the following:

**Application:** The applicant’s 2017 submission, as amended in 2018, comprises a mix of 2015/2016 information, excerpts from various staff and consultant reports throughout that period and various responses to these reports, along with submissions from the potential daycare operator and parents seeking daycare (Council has received most of this material from the applicant and it was reviewed by Committee prior to a decision on the former application). Consequently, a number of aspects of the current proposal are unclear and, if the application is to be given further consideration, the staff file manager requests the applicant be required to provide an updated, comprehensive and concise application.

**Site remediation:** Additional information was provided confirming the applicant’s position that remediation has been completed to a commercial standard. While staff continue to question if that standard would be appropriate for a child care facility, this report does not identify a need for further information.

**Fraser Health Licence:** A child care facility requires a licence from Fraser Health to ensure facilities are designed and operated in accordance with its requirements. Prior to issuing a
business licence for a daycare, the Bylaw Services Division will contact Fraser Health to determine if the business has obtained the necessary licence; Fire Protective Services also provides comment as part of this process. Following receipt of the current application, in late 2017 staff contacted Fraser Health by letter to ask if it had any specific concerns with the application or conditions it would wish to see met through the City’s rezoning process. Fraser Health responded it would only provide comments following review of a complete application.

**Proximity to CP Rail:** The Federation of Canadian Municipalities and Railway Association of Canada’s *Guidelines for New Development in Proximity to Railway Operations* (2013) outlines standard mitigation measures for new development. The guidelines emphasize the importance of early consultation with the railway but to date, the applicant has not provided the City with any comments.

The buildings within the Shaughnessy Station shopping centre pre-date the guidelines and the buildings along the south property line are closer than the recommended minimum setbacks. For example, the recommended residential building setback from a principle rail line with more than 5 trains per day is 30m and the minimum noise barrier height to a residential use is 5.5m (18’); there are no guidelines contemplating outdoor play space within this area. One of the multiple rail lines with the CP Rail property is only 6m from the play area on the south.

![Diagram of standard mitigation measures](image-source)

**Figure 1:** Example of Standard Mitigation Measures (Image Source: Figure 2: Standard mitigation for new residential development in proximity to a main line railway, pg. 19).

In an attempt to better understand potential safety concerns, staff viewed information posted by the Transportation Safety Board of Canada, which is an independent agency that advances transportation safety by investigating occurrences in the marine, pipeline, rail and air modes of transportation. Its website includes data such as the number of derailments by month and province, identifies concerns with respect to issues such as the risk posed by the transportation of large quantities of dangerous goods, and makes recommendations on safety issues.

The Fire and Emergency Services Department has expressed its concern about locating a playground in the proposed location, including the potential for safety issues associated with a playground so close to not only the rail yard but also the loading dock at the rear of the building. It recommends that infants and children not be put at risk and requests that the applicant be advised to seek a safer site for this type of assembly occupancy.
Noise Attenuation & Fencing: The location of the outdoor play areas immediately adjoining CP Rail’s property and Shaughnessy Street means they would be noisy locations. To address this, the applicant proposes to surround the south play area with a specialized acoustic fence. A portion of the fence would be alongside an existing loading bay, similar to the image on the supplier’s website below. The website for the proposed fencing also shows how a visual impact can be mitigated by planting hedges or climbing plant material. The current application does not include sufficient information on the design, height, location, or landscaping of the fence or the loss of existing vegetation to determine its impacts or compliance with Zoning Bylaw siting and height regulations.

![Example of the proposed acoustic fence](image)

Air Quality: The air quality where the outdoor play areas are proposed is a major concern. Staff research indicates there is increasing public health concern where small children are being exposed to poor quality air due to inappropriate play area locations. Health Canada’s publication, *Human Health Risk Assessment for Diesel Exhaust*, notes diesel emissions are estimated to contribute significantly to ambient concentrations of NO₂, PM_{2.5} and ground level ozone (O₃) particularly where close to major transportation routes. Children can be at greater risk for adverse effects as they inhale proportionally more air than adults. A University of Washington study found residents living near rail lines faced increased exposure to harmful microscopic particles from diesel emissions. As staff observed a detectable diesel smell from train activity at the proposed playground site, it would be critical to obtain information on the specific air quality (if this application is to be further considered) as the potential operator proposes to restrict children the on-site outdoor play areas rather than allowing for them to walk across Shaughnessy Street to get to Lion’s Park.

Traffic Impacts: The applicant’s submission had included the following information from Bunt & Associates:

> “From traffic and parking standpoints, the synergies realized in locating child care within a shopping centre precinct are compelling, and include:
> 
> - Shopping centres are typically located on well-travelled, commuter traffic routes. With much of the morning drop-off and afternoon pick-up activity for child care centres tied in with the morning and afternoon commute, the linkage couldn’t be more direct. Moreover, the proximity of other stores, shops and services within the shopping centre enables a linking of trip purposes, i.e., picking up children and grocery shopping after work, i.e., two trip purposes, one trip.
The peak traffic and parking period for shopping centres, with the most significant impact on the area transportation system, is typically the Saturday afternoon period. Child care facilities are typically not in operation at this time; conversion of retail space to child care therefore serves to reduce the overall shopping centre traffic and parking activity during the Saturday afternoon period.

The morning peak traffic and parking period for child care centres is typically early in the morning before many of the stores open. The shopping centre parking lots and driveways are typically only lightly used at these times.

The weekday afternoon period for pick-up from child care is generally not as peaked as the morning period. While shopping centre traffic and parking can be considerable in the weekday afternoon period, the difference between the traffic and parking activity of retail space versus child care space during the weekday afternoon period is not significant.”

This assessment indicates that shopping centres can be suitable locations for child care facilities from the perspective of vehicular access and on-site traffic management.

**Pedestrian and Visual Impacts:** The proposed play area on the north side of the building would eliminate a popular pedestrian short-cut connecting between the Shaughnessy Street sidewalk and the shopping centre. Acoustic fencing around the play area, if required, could also reduce the amenity of this pedestrian realm. A previous design scheme had also showed that a play space in this location could reduce the visibility of an adjoining commercial business.

**Interior renovations:** The Building Division advises that a change of use to an assembly A2 occupancy is not as per the original building design and it requires a building code analysis from an architectural registered professional to show changes required to comply with the BC Building Code. Staff would also wish to ensure that there would be sufficient windows added to the building to meet guidelines for a child care facility. While this information can be provided in consideration of future development permit and building permit applications, it is important to bring it to the applicant’s attention in the rezoning process.

**United Way Child Care Needs Assessment:** The assessment, completed in fall 2017, identified concerns of parents in the Tri-Cities with respect to their child care arrangements. The applicant has not identified a response to key findings of this study, which include:

- insufficient time scheduled for children to play outdoors
- high cost
- hours of operation, with an identified need for extended hours due to time to commute to work and a preference for child care to be close to homes and local schools
- lack of access to parks and the outdoors for children in care
- need for more before and after school care close to school, especially in Port Coquitlam
- more licensed child care spaces in the Tri-Cities (39%) compared to province (22%).

**Off-Sites and Encroachments:** This report has not identified the potential off-site improvements that may be required of the development and would need to be determined if this application proceeds to further consideration. Staff previously noted that there is an existing encroachment agreement related to lighting along the Shaughnessy Street sidewalk would need to be assessed if this application is to be further considered.
FINANCIAL IMPLICATIONS
None associated with consideration of a change in use as proposed.

PUBLIC CONSULTATION
A sign has been posted on the site and several enquiries have been received by staff regarding the status of the application.

OPTIONS
(Check = staff recommendation)
Smart Growth Committee may:

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<th>#</th>
<th>Description</th>
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<tr>
<td>1</td>
<td>Recommend to Council that the application be refused.</td>
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<td>2</td>
<td>Request the applicant provide information prior to making a determination such as: (1) A concise written submission describing the proposal and identification of any requested variances (compliance with municipal regulations); (2) Information from Fraser Health as to its licence requirements for a large child care facility at this location; (3) Comment from CP Rail; (4) An air quality assessment for the proposed outdoor play areas in sufficient detail to assess if proximity to rail yard and tracks (for the south play area) and Shaughnessy Street (north play area) would be a concern; (5) Design and siting information regarding the fencing, including impacts on Shaughnessy Street and landscaping; (6) A building code analysis and identification of design changes to comply with daycare guidelines; and, (7) Off site requirements.</td>
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<td>3</td>
<td>Determine the conditions it wishes to have the applicant meet prior to bylaw adoption and recommend to Council that the identified conditions be set and the application proceed to a Public Hearing.</td>
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ATTACHMENTS
Attachment #1: Drawings submitted March 13, 2018
Attachment #2: Staff report to Smart Growth Committee July 27, 2016
THE DESIGN OF ALL SUSPENDED ARCHITECTURAL COMPONENTS INCLUDING BULKHEADS, CEILINGS, EQUIPMENT, PIPING AND OTHER SUSPENDED ITEMS MUST BE CARRIED OUT BY PROFESSIONAL STRUCTURAL ENGINEERS, REGISTERED TO PRACTICE IN THE PROVINCE OF BRITISH COLUMBIA AND EMPLOYED DIRECTLY BY THE RESPECTIVE CONTRACTOR AND SUB-CONTRACTOR.

DESIGNS SHALL TAKE INTO ACCOUNT ALL SEISMIC AND DESIGN LOAD REQUIREMENTS, AS SET OUT IN THE BRITISH COLUMBIA BUILDING CODE, LATEST EDITION.

THE PROFESSIONAL STRUCTURAL ENGINEER SHALL PREPARE SIGNED AND SEALED DRAWINGS AND CERTIFY THE COMPLETED INSTALLATION, UTILISING SCHEDULES S-B AND S-C OF THE BRITISH COLUMBIA BUILDING CODE.

THE DESIGNS ARE ALSO SUBJECT TO THE APPROVAL OF THE OWNER AND ARCHITECT WITH REGARD TO SUITABILITY OF APPEARANCE AND COMPATIBILITY WITH ADJACENT WORK.

SHAUGHNESSY STATION - DAYCARE DEVELOPMENT

Shaughnessy Station, Port Coquitlam, BC

2594

CN

DT

-
THE DESIGN OF ALL SUSPENDED Architectural COMPONENTS INCLUDING BULKHEADS, CEILINGS, EQUIPMENT, PIPING AND OTHER SUSPENDED ITEMS MUST BE CARRIED OUT BY PROFESSIONAL STRUCTURAL ENGINEERS, REGISTERED TO PRACTICE IN THE PROVINCE OF BRITISH COLUMBIA AND EMPLOYED DIRECTLY BY THE RESPECTIVE CONTRACTOR AND SUB-CONTRACTOR. DESIGNS SHALL TAKE INTO ACCOUNT ALL SEISMIC AND DESIGN LOAD REQUIREMENTS, AS SET OUT IN THE BRITISH COLUMBIA BUILDING CODE, LATEST EDITION. THE PROFESSIONAL STRUCTURAL ENGINEER SHALL PREPARE SIGNED AND SEALED DRAWINGS AND CERTIFY THE COMPLETED INSTALLATION, UTILISING SCHEDULES S-B AND S-C OF THE BRITISH COLUMBIA BUILDING CODE. THE DESIGNS ARE ALSO SUBJECT TO THE APPROVAL OF THE OWNER AND ARCHITECT WITH REGARD TO SUITABILITY OF APPEARANCE AND COMPATIBILITY WITH ADJACENT WORK.
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EXECUTIVE SUMMARY
The owner of the vacant store front located in the Shaughnessy Station commercial development (the former Canadian Tire building) has submitted a rezoning application to allow for a child care facility that would accommodate up to 136 children.

This application raises a number of significant concerns about the appropriateness of the proposed location for a daycare and the demand for a facility of this size at this location. In particular, staff’s concerns include the proximity of an outdoor play area located along the west side of the building to Shaughnessy Street and the CP Rail tracks, traffic impacts from vehicles at peak pick-up and drop-off times and traffic impacts as well as safety issues related to children regularly crossing Shaughnessy Street to get to Lions Park, site contamination, institutional use of an area designated to promote retail commercial development, and the existing supply of child care spaces in the area.

Based on information provided by the applicant to date and staff’s analysis of the site’s constraints for a child care use, it is recommended that SGC resolve to not support the application. If this recommendation is approved by the Committee, then the applicant may appeal the rejection and the application must be considered at a Council meeting.

Should Committee determine that it wishes to further consider the application, then staff would work with the applicant to obtain additional information during the summer recess with the intent that a report would be brought forward to SGC that identifies recommended conditions of the rezoning.

RECOMMENDATION
That SGC recommend to Council that the application to amend the Zoning Bylaw to allow for a child care facility accommodating up to 136 children at #3190 - 2850 Shaughnessy Street be refused.
1. BACKGROUND

1.1. Application: This application originated as a proposal to rezone a vacant commercial unit to allow a child care facility that would accommodate 107 children. The application was subsequently amended to replace the original applicant (a planning firm) with an architectural firm, Abbarch Architecture, and to increase the number of children to be accommodated at the facility to 136.

1.2. History: The site was originally part of CP Rail lands. In 1996, it was rezoned and subdivided for the development of the Shaughnessy Station as a highway-oriented shopping centre. There have been a number of changes to this centre over the years with the most recent being in 2012, when SGC issued a DP amendment to allow for alteration of the former Canadian Tire building into smaller units with work including façade improvements and landscape enhancements in the parking lot.

1.3. The Proposal: The applicant wishes to redevelop the vacant commercial unit for a child care facility with an outdoor play area along the west side of the building. The facility would be leased to an independent operator and building alterations would be made to accommodate the change in use. There would be six groups of infants and toddlers, with 12 children in each of these groups, and four groups of preschoolers, with 16 children in each of these groups; care would be offered between the hours of 7 am and 6 pm Monday through Friday.

2. POLICY & REGULATIONS

2.1. OCP Policies: The OCP’s policies promote having a sufficient number of child care spaces located throughout the community, including in residential areas, close to educational facilities (schools) and at business centres. OCP policies also promote commercial and mixed-use development of sites in the downtown and, where appropriate, of sites with a highway orientation. The land use designation is Downtown Commercial.

2.2. Zoning Bylaw: The property is zoned Comprehensive Development Zone 10 (CD10), which allows for the uses permitted in the Community Commercial (CC) zone well as automobile sales and rentals, accessory automobile servicing and auditoriums. The CC zone allows for child care facilities with a maximum of 25 children in a facility at any one time. A child care facility in a CD zone is further subject to a regulation that it is to serve residents or persons residing in adjacent apartments or apartment residential zones.

2.3. Child Care Licenses: Child care facilities are regulated under the Child Care Licensing Regulation and Standards of Practice of the Community Care and Assisted Living Act and require a child care license from Fraser Health. Licenses are not required for facilities with 1 or 2 children.
2.4. Development Procedures Bylaw: All applications to amend the Zoning Bylaw are considered by Council and only Council has the authority to refuse an application for a bylaw amendment.

3. COMMENTS AND ANALYSIS

3.1. Site Characteristics and Context: Shaughnessy Station is located on the eastern side of Shaughnessy Street just north of the underpass and contains multi-tenant buildings, a large grocery store, restaurants, banks, offices and other commercial uses. The property backs onto the CP Rail railway.

The proposed site for the daycare is located adjacent to Shaughnessy Street in a multi-tenant building that was formerly occupied by the Canadian Tire business. A landscape strip located along the side of the building encroaches into the City road right-of-way and a retaining wall supports the back part of this area.
3.2. **Project Description:** The proposal is to renovate the vacant 1036.6 m² (11,158 ft²) commercial unit to create a facility with 10 classrooms, 6 napping rooms, and supporting office and kitchen rooms. The landscaping along the western side and 9 parking spaces in front of the building would be replaced with a fenced outdoor play area for the children that would be accessed from a new entry along the façade. The operator also intends to take advantage of the close proximity of this site to Lions Park.

The applicant has provided the following to date:

- a transportation letter by Bunt & Associates providing an analysis of the potential impacts of a child care facility with 107 children: the study determined that there would be sufficient parking to accommodate the proposed use. The study also identified that the frequency of arrivals and departures would be appreciably higher compared to the previous commercial use but did not comment on the potential impact on existing transportation network.

- an air quality and noise study that recommended use of acoustic materials in the building’s renovation, but did not address the impact of noise on the outdoor play area. It also used office building standards for assessing air quality.

- an incomplete site profile that would need to be completed to meet the requirements of the Ministry of Environment.

Significant offsite improvements would be recommended as conditions of the rezoning in accordance with normal practice and could include reconstruction of the adjacent portions of Shaughnessy Street and Lougheed Highway, upgrading services and street lighting, and construction of a portion of a multi-purpose pathway. Another recommended condition of a rezoning would be renewal of an expired encroachment agreement for the retaining wall within the City right-of-way.

3.3. **Existing Supply of Child Care Spaces:** There are 176 licenced child care spaces located within approximately 400m of the proposed site (a 5-minute walk). 36 of these spaces are for infants and toddlers and 140 for children aged 3 to 5. There is also an active licence application for an additional 8 infant and toddler spaces and 16 spaces for children aged 3 to 5 within the same radius.

3.4. **Discussion & Analysis**

A number of issues have been identified as follows:

- The site was formerly used by CP Rail and was remediated to meet standards required for office and commercial uses. Further remediation of the site may be necessary for this proposed change of use to meet the standards required for a child care facility.

- The on-site outdoor play area meets the minimum size required for a large child care facility, but its location is immediately adjacent to heavy traffic on Shaughnessy Street as it emerges from the underpass and an active railway line.
The potential use of the popular children’s play area in Lions Park leads to two issues: one, that a large number of children would be crossing the busy intersection at Lions Way and Shaughnessy Street to get to the play area and secondly, that the public park could become a substitute for the facility’s required on-site play area if it is determined to be too noisy or its air quality is too poor for frequent use.

An increase in both pedestrian and vehicle traffic may adversely impact the signal operation and traffic flow at Shaughnessy Street and Lions Way.

High community need for additional child care spaces serving this neighbourhood and, in particular, residents of adjoining residential developments, has not been demonstrated.

3.5. Consultation: The original applicant contacted 29 of the 32 Shaughnessy Station businesses and advised that most did not have any concerns. Questions related to pick-up and drop-off activities were raised, and one business was concerned about the use in close proximity of the railway with respect to noise, pollutants, and hazardous materials.

A sign providing information on the rezoning application is posted on the site. Two nearby child care facilities have each provided comment that they struggle to fill spaces in their facilities and question allowing for additional spaces at this time.

4. OPTIONS

The Smart Growth Committee may:

(1) Recommend to Council that Council refuse the application; or,

(2) Determine that it wishes to further consider the application before making a decision on a recommendation. If this option is selected, staff would work with the applicant to bring forward additional information addressing site contamination, further traffic information, and clarify air quality and noise concerns. In accordance with our normal practice for a rezoning application that is expected to proceed to a Public Hearing, staff would also put forward recommended conditions of approval.

Laura Lee Richard, MCIP
Director of Development Services
Development Permit DP000340 – former Shaftsbury road allowance/lane to be consolidated with 2748 Lougheed Highway

RECOMMENDATION:
That Smart Growth Committee approve Development Permit DP000340 to regulate parking, fence and landscaping on an previously unopened portion of Shaftsbury Avenue and an adjacent lane (to be consolidated with 2748 Lougheed Highway).

PREVIOUS COUNCIL/COMMITTEE ACTION

June 26 2018 - Council adopted bylaws for road closure, zoning and OCP amendments to allow the site to be included in the parking area for the adjacent commercial property.

REPORT SUMMARY

This report describes an application for a development permit to regulate a parking area and landscaping in a former City road allowance to the south of 2748 Lougheed Highway and north of Fox Street. The design accommodates 53 parking spaces with perimeter landscaping, pedestrian scaled lighting and secure fencing; it also ensures the protection of several mature trees on adjacent properties to the south. A marked pathway through the parking lot links Fox Street and Westwood Street.

BACKGROUND

Westlo Financial Corp proposes to develop a formerly unopened portion of Shaftsbury Avenue and adjacent lane as a parking area for its employees. The newly created lot will be consolidated with its commercial strip mall to the north at 2748 Lougheed Highway. The site is currently vacant with alder trees and ground vegetation; an informal pathway connects pedestrians from Fox Street to Westwood Street. The land use designation in the Official Community Plan for the site is N - Neighborhood Commercial and the property is zoned CC – Community Commercial. As a condition of sale, the City has required legal agreements restricting the site to only be used for parking purposes, ensuring continuation of the existing pedestrian connection and access to underground utilities and services. The objectives and guidelines of the site’s commercial development permit area designation are intended to guide the form and character of development including parking and landscaping, promote orderly development, and control the interface.
Development Permit DP000340 – former Shaftsbury road allowance/lane to be consolidated with 2748 Lougheed Highway

between commercial and other land uses. The parking area is set 30 meters back to Fox Creek in compliance with the City’s Watercourse Development Permit requirements.

The area will be graded and paved for 53 employee-only parking spaces. Vehicular access to this area will be provided through the mall to the north. Hooded, pedestrian-scaled lighting will be provided throughout the site, and the publicly-accessible pedestrian pathway will be delineated by coloured pavement markings, including reflective yellow markers. Signage throughout the area will note the parking is restricted to employees and may include permitted hours of use. Storm water runoff will be addressed through civil works and includes three catch basins with oil/grit separators.

Westlo consulted with area residents and the proposed parking design and landscaping reflects their input. The owners of the two residential properties directly to the south of the proposed parking area requested the applicant construct substantial fencing along their property lines to address concerns about noise, light and security impacts from the parking area and pathway. The residents requested construction of a cedar fence along the property line to the west of Fox Street and a concrete block fence to east of Fox Street and along the watercourse protection area. Both fences are designed to be 2.4 meters in height and sit on top of 0.6 meter high retaining walls. The fence at the top of Fox Street is 4 foot high and constructed of powder coated vinyl clad chain link for visibility into the parking area in accordance with the principles of crime prevention through environmental design. A ramp with rails will create an accessible entry to the pedestrian pathway.

Westlo has proposed to site the fence several feet away from the private property on the east side of Fox Street and has designed a bridge wall structure as a mechanism to protect a number of existing trees and hedging adjacent to the private residential property. On the west side of Fox
Street, the fence will be sited on the property line resulting in removal of three fir trees. Other landscaping through the parking area includes a row of cedar hedging and some low level planting on the site perimeter.

DISCUSSION

The design of the proposed parking lot, fence and landscaping is generally consistent with expectations for commercial developments and has been designed with consultation with neighbouring residents. Approval is recommended.

FINANCIAL IMPLICATIONS

None.

PUBLIC CONSULTATION

A sign providing notification of the development applications is posted on site. The City has received generally positive comments from neighbours.

OPTIONS

(Check = Staff Recommendation)

<table>
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<tr>
<th>#</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>Approve Development Permit DP000340</td>
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<td>2</td>
<td>Request additional information or amendments if the Committee is of the opinion that such information or amendment would assist in its evaluation of how the proposal complies with the development permit guidelines</td>
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<tr>
<td>3</td>
<td>Recommend rejection of the application if the Committee is of the opinion that the applications do not conform to the development permit guidelines. The applicant may then request the application be forwarded to Council for consideration.</td>
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ATTACHMENTS

Attachment: Draft Development Permit DP000340
THE CORPORATION OF THE CITY OF PORT COQUITLAM

“DEVELOPMENT PROCEDURES BYLAW, 2013, NO. 3849”

DEVELOPMENT PERMIT

NO. DP000340

Issued to: Westlo Financial Corporation
(Owner as defined in the Local Government Act,
hereinafter referred to as the Permittee)

Address: 400-1245 West Broadway, Vancouver BC V5T 0A2

1. This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.

2. This Development Permit applies to and only to those lands within the Municipality described below, and any and all buildings, structures and other development thereon:

   Address: TBD (former Shaftsbury and adjacent lane right of way)
   Legal Description: TBD
   P.I.D.: TBD

3. The above property has been designated as a Development Permit Area under Section 9.0 – Development Permit Area in the “Official Community Plan Bylaw, 2013, No. 3838”.

4. “Port Coquitlam Zoning Bylaw, 2008, No. 3630” is varied or supplemented as follows:

   a. The design of the parking, fencing and landscaping shall be as shown on drawings numbered DP000340(1) to DP000340(5) which are attached hereto and form part of this permit.

   Minor changes to the aforesaid drawings that do not affect the intent of this Development Permit and the general appearance of the building, landscaping and character of the development may be permitted, subject to the approval of the Municipality.

5. The following standards for landscaping are imposed:

   (a) All landscaping works and planting materials shall be provided in accordance with the landscaping plan and specifications thereon, which forms part of this permit and is attached hereto as Drawing Number DP000340(1-5).
6. Landscape Security

(a) As a condition of the issuance of this permit, the security set out below is held by the Municipality prior to the issuance of a building permit to ensure satisfactory provision of landscaping in accordance with the terms and conditions as set forth in Clause 5 above. There is filed accordingly an irrevocable Letter of Credit or cash security in the amount TBD for the purpose of landscaping.

(b) Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. A condition of the posting of the security is that should the Permittee fail to carry out the works or services as hereinabove stated, according to the terms and conditions of this permit within the time provided, the Municipality may use the security to complete these works or services by its servants, agents or contractors, and any surplus shall be paid over to the Permittee.

(c) The Permittee shall complete the landscaping works required by this permit within six months of the final inspection for the coach house. Within the six month period, the required landscaping must be installed by the Permittee, and inspected and approved by the Municipality.

If the landscaping is not approved within the six month period, the Municipality has the option of continuing to hold the security until the required landscaping is completed or has the option of drawing the security and using the funds to complete the required landscaping. In such a case, the Municipality or its agents have the irrevocable right to enter into the property to undertake the required landscaping for which the security was submitted.

(d) Should the Permittee carry out the works and services permitted by this permit within the time set out above, the security shall be returned to the Permittee. Should the Permittee fail to remedy any aspect of the landscaping not in accordance with the approved plan, the Municipality may deduct the cost of remedying the defect from the said deposit and recoup additional costs from the Permittee if necessary.

7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this permit and any plans and specifications attached to this permit, which shall form a part hereof.

8. This permit shall lapse if the Permittee does not substantially commence the construction permitted by this permit within two years of the (issuance) date of this permit.

9. The terms of this permit or any amendment to it, are binding on all persons who acquire an interest in the land affected by this permit.

10. This permit is not a building permit.

SIGNED THIS ____ DAY ____________, 2018.

______________________________
Mayor

______________________________
Corporate Officer

I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED.

______________________________
Applicant (or Authorized Agent or Representative of Applicant)
4' HT. CHAIN LINK FENCE
COLOUR: BLACK, GAUGE SIZE: 11

8' HT. SOLID TIMBER FENCE IN CONCRETE POSTS
SCALE: 1" = 1'-0"