

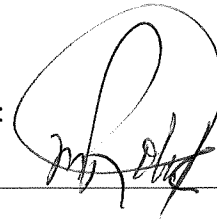
# Staff Report to Council

Planning and Development

FILE: 3060-20-2019-06

REPORT DATE: January 30, 2020      MEETING DATE: February 25, 2020  
TO: Mayor and Council  
FROM: Alex Wallace, Manager of Community Development  
SUBJECT: Proposed Development Permit Review Process for Golden Ears  
Business Park Phases 3 and 4

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



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RECOMMENDATION(S): THAT Council:

- A. Receive for information the "Proposed Development Permit Review Process for Golden Ears Business Park Phases 3 and 4" staff report dated January 30, 2020; AND
- B. Direct Staff to present the development permit applications for Golden Ears Business Park Phases 3 and 4 at an upcoming Engagement and Priorities Committee Meeting; AND
- C. Direct Staff to mail a letter to the Fieldstone Walk residents and other surrounding residents as identified in the map provided as Attachment B in the "Proposed Development Permit Review Process for Golden Ears Business Park Phases 3 and 4" staff report dated January 30, 2020 advising them of the upcoming Engagement and Priorities Committee Meeting session; OR
- D. Other.

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## PURPOSE

To present the proposed review process for the development permit applications for Golden Ears Business Park Phases 3 and 4.

☐ Information Report

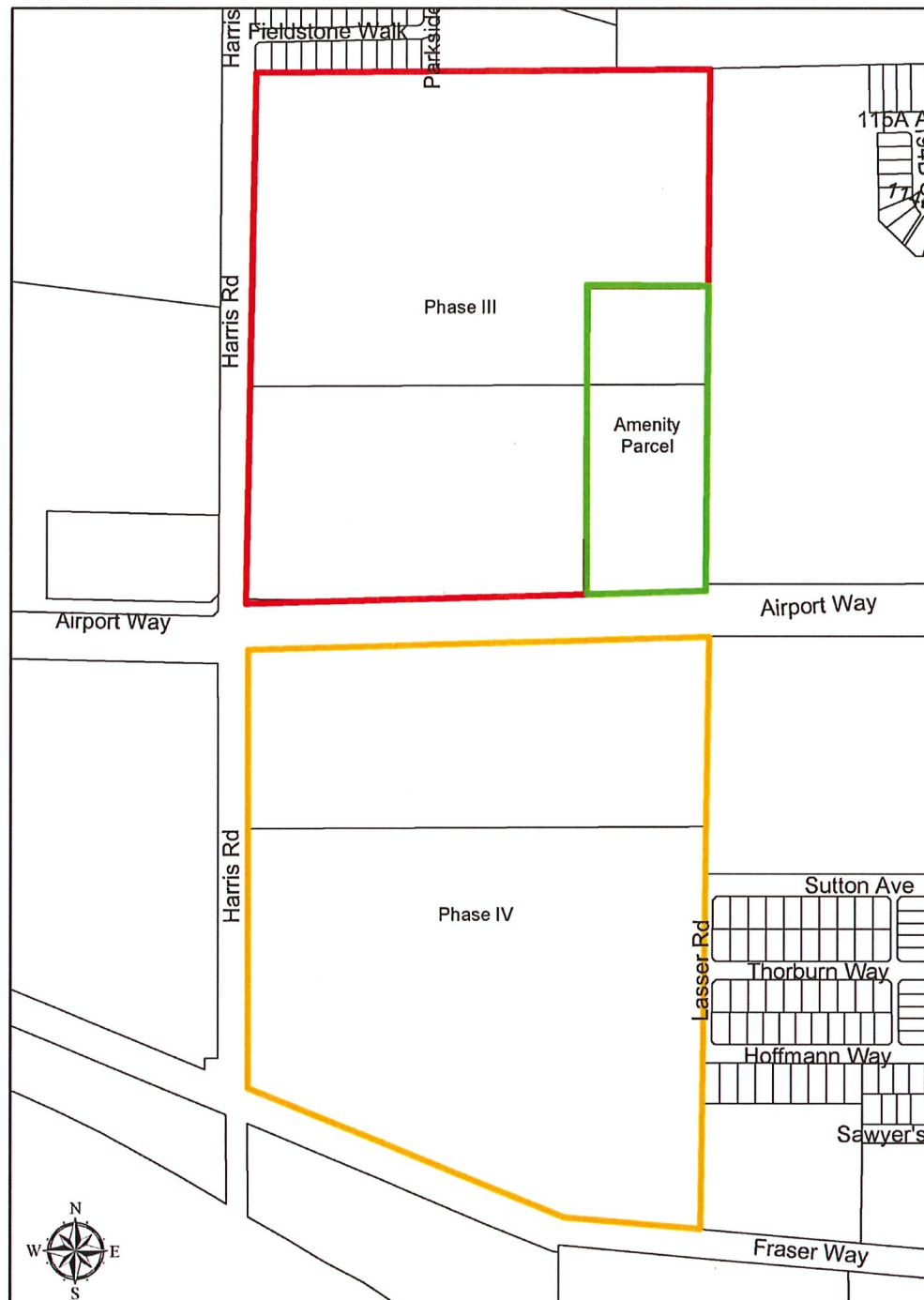
☒ Decision Report

☐ Direction Report

## DISCUSSION

### Background:

The properties encompassing Golden Ears Business Park (GEBP) Phases 3 and 4 were rezoned to I-3 Light Industrial Business Park on May 22, 2018. Development permit applications have now been submitted to the City, which are required prior to issuance of any building permits for the sites.



Prior to adoption of the rezoning, a development covenant was registered on title to the properties, addressing numerous issues such as: amenity contribution; road improvements; buffers and berms; trails; and public consultation.

#### Relevant Policy, Bylaw or Legislation:

Development Covenant CA6856082 is registered on title and includes a section on public consultation.

Under the City's Official Community Plan Bylaw No. 2352, 2007, Development Permit Area No. 4 Business Park applies to the properties. The guidelines for this DPA specifically were developed by an independent consultant and adopted by Council in April of 2019. The objectives of this DPA are:

- To encourage high standard industrial development that is cohesive and integrated into the surrounding environment; and,
- To create sustainable and environmentally friendly development by applying green building technology and sustainable building practices.

#### Analysis:

The process for development on the site is as follows:



Figure 2: Stages of development

A development permit is a permit that specifies how development can occur on a property that has been designated in an Official Community Plan (OCP) as being in a Development Permit Area. Development Permit Areas include guidelines specifying the City's objectives for each area and type of development, such as the form and character of industrial development, as in this case. A development permit cannot vary use or density.

After the use and density has been approved as part of a rezoning application, more detailed design and site layout issues are typically addressed in a development permit application. If the property changes ownership, market conditions change or the project scope changes, this means that design and layout issues can still be worked out without requiring another rezoning application, provided that the use is not changed and the density is not exceeded.

#### *Development Permit vs. Development Covenant*

For a standard development such as a new condominium or office building, a Development Permit is a good tool to ensure the development is constructed in accordance with the guidelines outlined in the applicable DPA and other regulatory

City bylaws. For a large and complex development that is likely to be spread over several years and where other elements may come into play, such as traffic improvements, trails, amenity spaces, a development covenant can offer more security to the City that the development will be in line with City and community expectations. A development covenant can also be used to ensure that certain features and amenities will be included in the development, at the time of rezoning.

Other than for GEBP Phases 3 and 4, a development covenant was also used for the Sawyer's Landing/Osprey Village development.

### *Development Permit Review and Discretionary Authority*

Typically, a development permit for a large project is reviewed by staff, the City's Advisory Design Panel and is then presented to Council for decision on issuance.

A development permit application is reviewed for considerations that are specifically laid out in the applicable OCP development permit area guidelines. Local government discretion in issuing or refusing a development permit is limited to the parameters of the development permit area guidelines. Form and character are the most common considerations involved in the DPA for a large project. For example, if a DPA guideline states that pitched roofs are preferred but an application shows a flat roof, this would be an area where the application is not in compliance with the DPA guidelines.

Within case law surrounding the issue of Council authority in the development permit process, *Yearsley v. White Rock* (2009) established that development permit applications must only be reviewed in terms of the applicable development permit area guidelines. *0742848 BC Ltd. v. Squamish* (2011) again established that a local government has limited discretion in issuing or refusing development permits and confirmed that the discretion is limited to the considerations found in the development permit area guidelines of the OCP.

In the cases of multi-family residential, mixed-use, commercial or industrial projects, development permits are typically reviewed for form and character including landscaping, exterior design, building finishing, siting, etc. If an application is found to be compliant with the applicable guidelines in the OCP, then the development permit should be issued. If refused for issuance, then reasons for refusal should be provided.

### *Advisory Design Panel*

The City's Advisory Design Panel (ADP) is a technical advisory committee that provides professional and community advice on matters related to the evaluation of the design and construction of developments. Membership of the ADP consists of an architect, landscape architect, and community members with knowledge of the visual arts, accessibility and sustainability. At an ADP meeting, developers are invited to present their project to receive technical, professional and community feedback. ADP meetings are open to the public. The ADP may come to a resolution of support, non-support or deferral pending receipt of further information, and may make recommendations for improvement.

The focus of ADP design evaluation includes the following:

- Public concerns
- Environmental concerns
- Neighbourhood context
- Site context
- Streetscape
- Site planning
- Building design
- Landscaping

#### *Golden Ears Business Park Phases 3 and 4*

As noted, the properties were rezoned to I-3 Light Industrial Business Park in 2018 and are designated as Development Permit Area (DPA) No. 4 Business Park in the City's OCP. DPA No. 4 was established to provide objectives and guidelines for the form and character of light industrial development. The review of the development permit applications is therefore limited to the form and character of the development as they relate to the DPA No. 4 guidelines. As noted earlier in this report, these guidelines were developed by an independent consultant and adopted by Council last year (IBI design guidelines).

At the time of rezoning, additional public consultation was recognized as important to achieve the highest quality of development possible. For this reason, a section on public consultation forms part of the development covenant registered on title, which includes the following three requirements:

1. Organize and attend a consultative meeting with the Fieldstone Walk development residents prior to commencement of development to seek input on berm and landscape options;
2. Prior to development permit issuance attend a consultative meeting with the resident advisory committee organized by the City;
3. Enter into a Good Neighbour Agreement as may reasonably be required by the City.

Items 1 and 2 are the subject of this report. Item 3 is not proposed to be altered.

#### *Public Feedback*

At the time when the rezoning was adopted and the development covenant registered on title (spring 2018), the City did not have a standing committee appropriate to engage in public consultation and dialogue with Council, members of the public and other groups. Therefore, it was envisioned that the best way to obtain public feedback regarding the form and character of the design for the sites was through the establishment of a resident committee or task force. Subsequently, the City established an Engagement and Priorities Committee (EPC). The purpose of the EPC is for Council to explore a topic in a comprehensive and in-depth manner, allowing for input from members of the public, staff and other appropriate people (developers, advisory committee members, consultants etc.). This format permits more open, two-way dialogue, allowing for greater public feedback on a topic.

With the new EPC format available, staff feel that this provides the most efficient and effective opportunity to gain public feedback on the form and character of design for GEBP Phases 3 and 4. At the EPC, the developer will be able to present the design to Council and the public, and have an opportunity to listen, gather feedback and answer questions. Additionally, an EPC will provide staff an opportunity to reiterate to the public that the type of feedback that can be provided is limited to the form and character of the design, and not the use and density of the development.

Additionally, the City's Communications Department can promote the EPC through its normal advertising channels, reaching the broadest audience.

It is also recommended that a letter be mailed out to Fieldstone Walk residents and other nearby residents as shown in Attachment B, advising them of the upcoming Engagement and Priorities Committee Meeting. These properties were selected for a mailing based on the terms in the development covenant, the standard 122 m radius notification for a public hearing, and suggested additions from the City's Chief Administrative Officer.

Overall, staff feel that the largest amount of public involvement can occur through the EPC process, rather than only a few select members of the public on a committee.

#### *Proposed Review of Development Permit Applications for GEBP Phases 3 and 4*

To review the development permit applications for GEBP Phases 3 and 4, staff propose that the applications be referred to the Advisory Design Panel and then to an Engagement and Priorities Committee in April. After these sessions, the developer can compile all the input and feedback, along with staff comments, to produce revisions to the drawings. Subsequently, the development permits can be brought forward to Council for decisions on issuance.

Staff comments on the application are in progress. The landscape plans have been reviewed by an independent landscape architect chosen by the City and the comments provided to the developer. This was done because the City does not have the technical expertise to properly evaluate landscape design drawings on a project of this magnitude.

Overall, staff propose that the development permit review process look like the following:



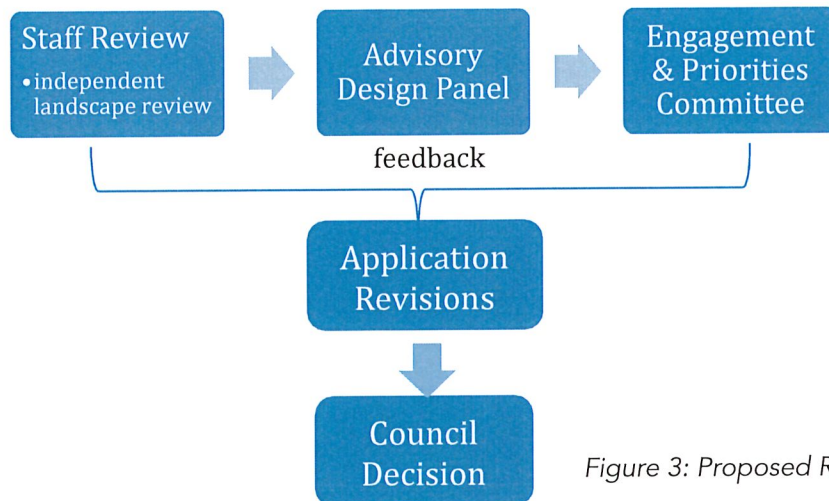


Figure 3: Proposed Review Process

This revised process will enable meaningful and efficient dialogue between members of the public, staff, Council and the developer in the development permit process for Golden Ears Business Park Phases 3 and 4. It will also provide Council and the developer with independent technical and professional advice. This level of public involvement in a development permit process has not been used in Pitt Meadows previously. Staff feel that this proposed process will result in the highest level of design and quality of construction possible.

The developer has agreed to this proposed change to the Development Covenant and proposed review process of the development permits (see Attachment A).

### COUNCIL STRATEGIC PLAN ALIGNMENT

- ☒ Principled Governance  
 ☒ Balanced Economic Prosperity  
 ☐ Corporate Excellence  
☐ Community Spirit & Wellbeing  
 ☐ Transportation & Infrastructure Initiatives  
☐ Not Applicable

**Community Voice.** Engage stakeholders in meaningful discussion around the current and future success and prosperity of Pitt Meadows.

**Employment.** Help residents improve their quality of life by encouraging and sustaining diverse, well-paying employment opportunities close to home.

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### FINANCIAL IMPLICATIONS

- ☒ None  
 ☐ Budget Previously Approved  
 ☐ Referral to Business Planning  
☐ Other
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## PUBLIC PARTICIPATION

☒ Inform    ☒ Consult    ☒ Involve    ☐ Collaborate    ☐ Empower

Structuring the development permit review process in the manner proposed in this report will allow for meaningful and efficient public involvement.

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## KATZIE FIRST NATION CONSIDERATIONS

Referral    ☐ Yes    ☒ No

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## SIGN-OFFS

Written by:

Allison Dominelli,  
Development Services Technician

Reviewed by:

Alex Wallace,  
Manager of Community Development

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## ATTACHMENT(S)

- A. Letter from Onni agreeing with change to Development Covenant.
- B. Proposed mailout recipients of letter advising of upcoming EPC meeting.





February 10<sup>th</sup>, 2020

Alex Wallace  
12007 Harris Road,  
Pitt Meadows, BC V3T 2B5

Dear Alex Wallace,

Re: Golden Ears Phase 3 and 4 – Engagement Process

We are writing in regards to the change in the Engagement Process for Golden Ears Phase 3 and 4. We are confirming that we agree to amend the process outlined in the Development Agreement dated the 15<sup>th</sup> day of May, 2018 between ALOUETTE ESTATES LTD., Inc. BC0645660, 0968778 B.C. LTD., Inc No. BC0968778, 0968776 B.C. LTD., Inc No. BC0968776 and The City of Pitt Meadows. The amended process will consist of Onni presenting at an Advisory Design Panel followed by presenting at an Engagement and Priorities Committee with Council and the public.

Regards,

A handwritten signature in cursive script, appearing to read "Chip Lyall".

Chip Lyall  
Development Manager  
Onni Group  
200-1010 Seymour Street,  
Vancouver BC, V6B 3M6

