

# Considered at January 12, 2021 Council Meeting

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## City of Port Moody Report/Recommendation to Council

Date: December 2, 2020  
Submitted by: Community Development Department – Development Planning Division  
Subject: OCP Amendment and Rezoning Application – 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church)

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### Purpose

To present for Council consideration OCP Amendment Bylaw No. 3286, Zoning Amendment Bylaw No. 3287, and Development Variance Permit 3090-20-143.

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### Recommended Resolution(s)

**THAT the requirement to refer the Official Community Plan amendment and rezoning applications (6700-20-207) to the Land Use Committee be waived as recommended in the report dated December 2, 2020 from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning Application – 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church);**

**AND THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 28, 2021, No. 3286 (Lot 1 NW15859 First Avenue) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 47, 2021, No. 3287 (Lot 1 NW15859 First Avenue) (P2) be read a first and second time;**

**AND THAT Bylaw No. 3286 and Bylaw No. 3287 be referred to a Public Hearing;**

**AND THAT staff be authorized to enter into an Encroachment Agreement with the Inlet United Church Congregation;**

**AND THAT the encroachment fees be waived pursuant to the Encroachment Policy as the site is of significant heritage importance.**

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### Background

The Inlet United Church Congregation owns both the church site at 1790 Ioco Road and the undeveloped lot to the south, otherwise referred to in this report as Lot 1, First Avenue. The church would like to sell the southern lot to raise funds for improvements to the protected heritage building, but the existing property line between the two parcels currently crosses a portion of the existing building on the south side. As such, the Inlet United Church is proposing

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to relocate the lot line through a lot line adjustment. Although this is not a proposal for new development, the lot line adjustment triggers the need for a number of development approvals.

The lot line adjustment is considered to be a subdivision application under the City's bylaws. Moreover, in order to create conformity between the new lot line with the OCP land use designations and appropriate zone, administrative updates to the OCP and Zoning Bylaws are required, as set out in draft Bylaw No. 3286 (**Attachment 1**) and draft Bylaw No. 3287 (**Attachment 2**). In addition to the OCP amendment and rezoning components, the applicant is also requesting a variance to defer the requirements of the Subdivision and Development Servicing Bylaw, as set out in the draft Development Variance Permit 3090-20-143 (**Attachment 3**). Consideration of the variance request will be brought forward to Council at a later date should the OCP and zoning amendment bylaws be given third reading. An application fact sheet which summarizes the key components of the project is included as **Attachment 4**.

Under the City's Development Approval Procedures Bylaw, No. 2918, an OCP amendment and rezoning application would be presented at a Land Use Committee (LUC) meeting. Given the administrative nature of the application, staff recommend that this requirement be waived.

## Discussion

### Property Description

The development site consists of two properties, 1790 loco Road and Lot 1, First Avenue, both located at the southeast corner of loco Road and First Avenue (**Attachment 5**). Additional details including information on the heritage building and the neighbourhood context is included in the application fact sheet (**Attachment 4**).

### Official Community Plan and Zoning

Land use designation and zoning maps are attached as **Attachments 6 and 7**.

- 1790 loco Road is currently designated Public and Institutional within the OCP and zoned Private Institutional (P2) Zone.
- Lot 1 First Avenue is designated Single Family Low Density and is zoned Single and Semi-Detached Residential (RS9) Zone.

### Development Proposal Review

A small portion of the church building on the 1790 loco lot extends onto Lot 1 First Avenue. The Inlet United Church would like to move the common property line 4.5m towards the south so the building is wholly within the property lines with adequate setbacks; however, since the church is designated for Institutional uses and the existing vacant lot is designated for residential uses, the lot line adjustment needs to be reflected in the OCP land use designations and zoning of both properties.

The proposed subdivision and existing site plan is shown in **Attachment 8**, and a description of each development approval needed for the proposed change is listed below.

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## *OCP Amendment*

The OCP amendment would amend the northern portion of Lot 1, First Avenue's OCP designation from Single Family Low Density to Public and Institutional.

## *Rezoning*

The rezoning would rezone the northern portion of Lot 1, First Avenue from RS9 to P2.

## *Variances*

Given that the lot line adjustment is considered a subdivision under the City's bylaws, requirements for infrastructure improvements adjacent to both lots would apply. Without any imminent new development occurring, the requirement for servicing is premature. A variance is requested to the Subdivision and Development Servicing Bylaw requirement for these required infrastructure and frontage improvements.

If approved, the variance would allow registration of the lot line adjustment prior to completing any of the necessary works. To ensure future construction of the works if and when Lot 1 First Avenue develops, the applicant has committed to placing a no-build covenant on the title of the undeveloped lot until the works are complete. It is anticipated that the purchaser of the vacant lot will be required to complete the servicing and a select number of frontage upgrades prior to obtaining a building permit. Staff recognize the administrative nature of this application and have worked with the applicant to ensure that the works have been reduced from the normal level of servicing required for a subdivision.

Another variance is requested to reduce the side yard setback (from loco Road) of the church property from 3.0m (9.8ft) to 0m as the front staircase of the church building encroaches onto the loco Road right-of-way. The siting of the church building is currently considered legal non-conforming, but approval of this variance would legitimize the 0m setback.

## *Encroachment Agreement*

An encroachment agreement with the City would also be necessary for a portion of the staircase fronting loco Road, as well as a portion of a children's play area off First Avenue for the daycare located within the church. Both of these features have portions that are currently on City property. Typically, each encroachment agreement is charged a one-time administration fee as well as an annual fee. The City's Encroachment Policy allows for consideration of a fee exemption if the encroachment directly relates to a Heritage Designation Area or is of significant heritage importance. Given that the church site is located in the loco Townsite Heritage Conservation Area and the building is a protected heritage building, staff recommend waiving the fees related to the encroachment agreements.

## *Subdivision*

A lot line adjustment is required to move the shared lot line between 1790 loco Road and Lot 1, First Avenue southwards so that the church building is wholly within the property with adequate setbacks. Approval of the bylaws and variance requests as noted above would allow the Approving Officer to consider the new modified lot line, without requiring infrastructure improvements as part of this change.

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## Other Option(s)

1. THAT the OCP amendment and rezoning applications, as presented in the report dated December 2, 2020, from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning Application – 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church) be revised.
2. THAT the OCP amendment and rezoning applications, as presented in the report dated December 2, 2020, from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning Application – 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church) be denied.

## Financial Implications

An exemption to the encroachment fees in 2021 would total approximately \$780. This includes \$650 for the one-time administrative fee, and approximately \$130 per annum, based on the area of the encroachment.

## Communications and Civic Engagement Initiatives

A notification sign informing the public of the rezoning application has been placed on the subject site in accordance with the City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918.

Should the rezoning application be given first and second readings, the public will have an opportunity to comment at the Public Hearing, which will occur following a mail-out notification to adjacent residents, an advertisement placed in the local newspaper, and a decal of the public hearing time and date placed on the notification sign.

## Council Strategic Plan Objectives

The proposal is consistent with the goals of Council's 2019-2022 Strategic Plan related to Community Evolution by supporting creative ways to enable diverse housing forms and heritage revitalization.

## Attachment(s)

1. Draft Official Community Plan Amendment Bylaw No. 3286.
2. Draft Zoning Amendment Bylaw No. 3287.
3. Draft Development Variance Permit 3090-20-143.
4. Application Fact Sheet.
5. Location Map.
6. OCP Map.
7. Zoning Map.
8. Proposed Subdivision and Site Plan.

## Report Author

Wesley Woo, MCIP, RPP  
Development Planner

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## Report Approval Details

Document Title:	OCP-Rezoning (Institutional-Residential) - 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church).docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Draft Official Community Plan Amendment Bylaw No. 3286.pdf</li><li>- Attachment 2 - Draft Zoning Amendment Bylaw No. 3287.pdf</li><li>- Attachment 3 - Draft Development Variance Permit 3090-20-143.pdf</li><li>- Attachment 4 - Application Fact Sheet.pdf</li><li>- Attachment 5 - Location Map.pdf</li><li>- Attachment 6 - Land Use Designations Map.pdf</li><li>- Attachment 7 - Zoning Map.pdf</li><li>- Attachment 8 - Proposed Subdivision Plan.PDF</li></ul>
Final Approval Date:	Dec 21, 2020

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

André Boel, City Planner - Dec 14, 2020 - 1:32 PM

Kate Zanon, General Manager of Community Planning - Dec 15, 2020 - 9:02 AM

Jeff Moi, General Manager of Engineering and Operations - Dec 17, 2020 - 9:13 AM

Dorothy Shermer, Corporate Officer - Dec 17, 2020 - 4:54 PM

Rosemary Lodge, Manager of Communications and Engagement - Dec 17, 2020 - 5:43 PM

Paul Rockwood, General Manager of Finance and Technology - Dec 18, 2020 - 1:23 PM

Tim Savoie, City Manager - Dec 21, 2020 - 9:03 AM

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## City of Port Moody

### Bylaw No. 3286

A Bylaw to amend City of Port Moody Official Community Plan Bylaw, 2014, No. 2955 to change the land use designation of a portion of Lot 1 NW15859 First Avenue.

The Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 28, 2021, No. 3286 (Lot 1 NW15859 First Avenue)”.

#### 2. Amendments

- 2.1 Map 1 – Overall Land Use Plan in Schedule “A” of City of Port Moody Official Community Plan Bylaw, 2014, No. 2955 is amended by changing the land use designation for a portion of the following lands from Single Family Low Density to Public and Institutional:

Lot 1 Government Reserve Lying Between District Lots 226 and 256  
Group 1 New Westminster District Plan 15859  
PID: 010-158-936

as shown on the Location Map in Schedule A of this Bylaw.

- 2.2 Schedule “A” of Bylaw No. 2955 is amended by replacing Map 1 – Overall Land Use Plan with Map 1 – Overall Land Use Plan attached to this Bylaw as Schedule B.

#### 3. Attachments and Schedules

- 3.1 The following schedules are attached to and form part of this Bylaw:
  - Schedule A – Location Map
  - Schedule B – Map 1 – Overall Land Use Plan

#### 4. Severability

- 4.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

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**Read a first time** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**Read a second time** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**Read a third time** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3286 of the City of Port Moody.

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D. Shermer  
Corporate Officer

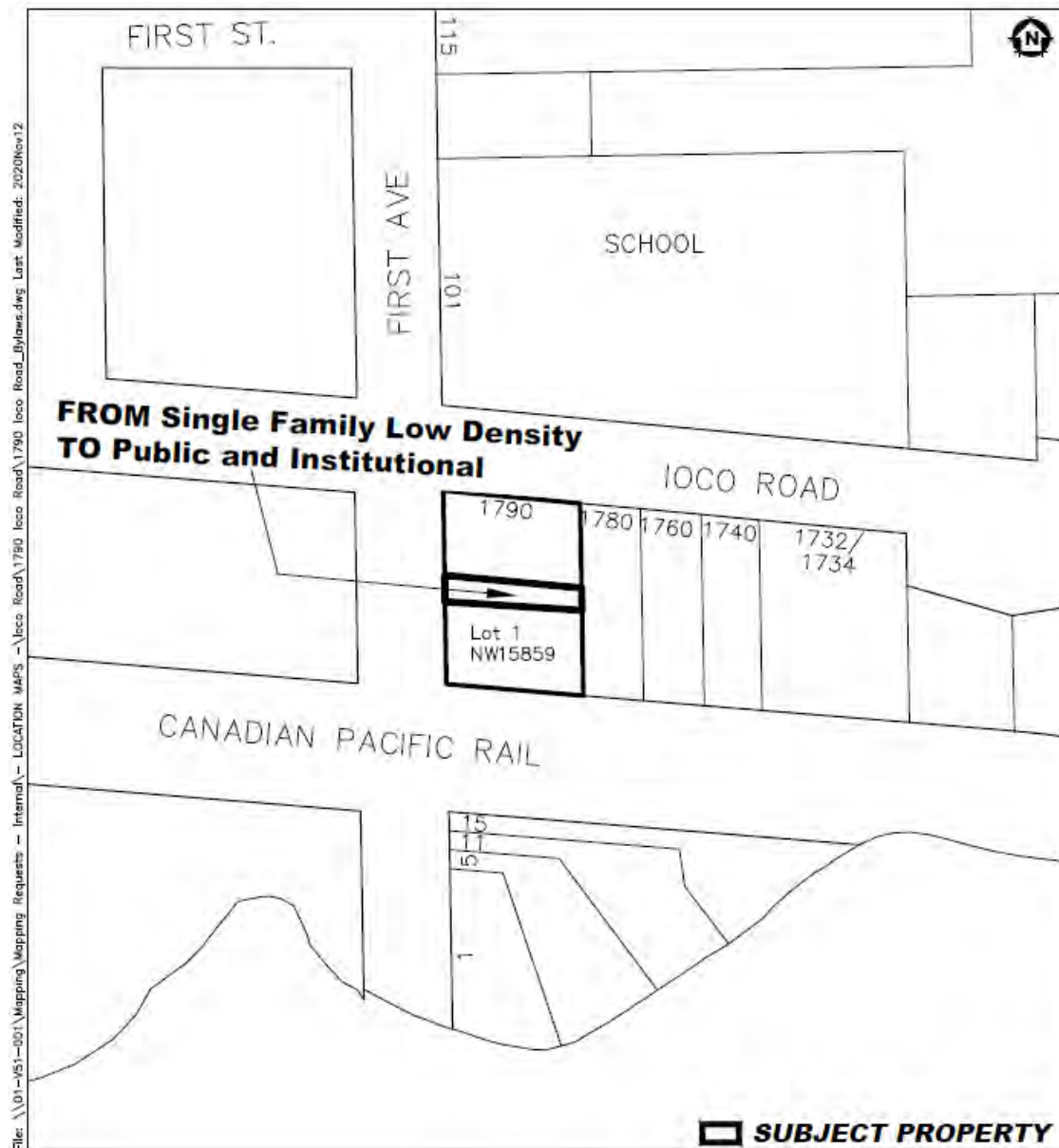
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## Schedule A – Location Map

This is a certified true copy of the map referred to in section 2 of City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 28, 2021, No. 3286 (Lot 1 NW15859 First Avenue).

\_\_\_\_\_  
Corporate Officer

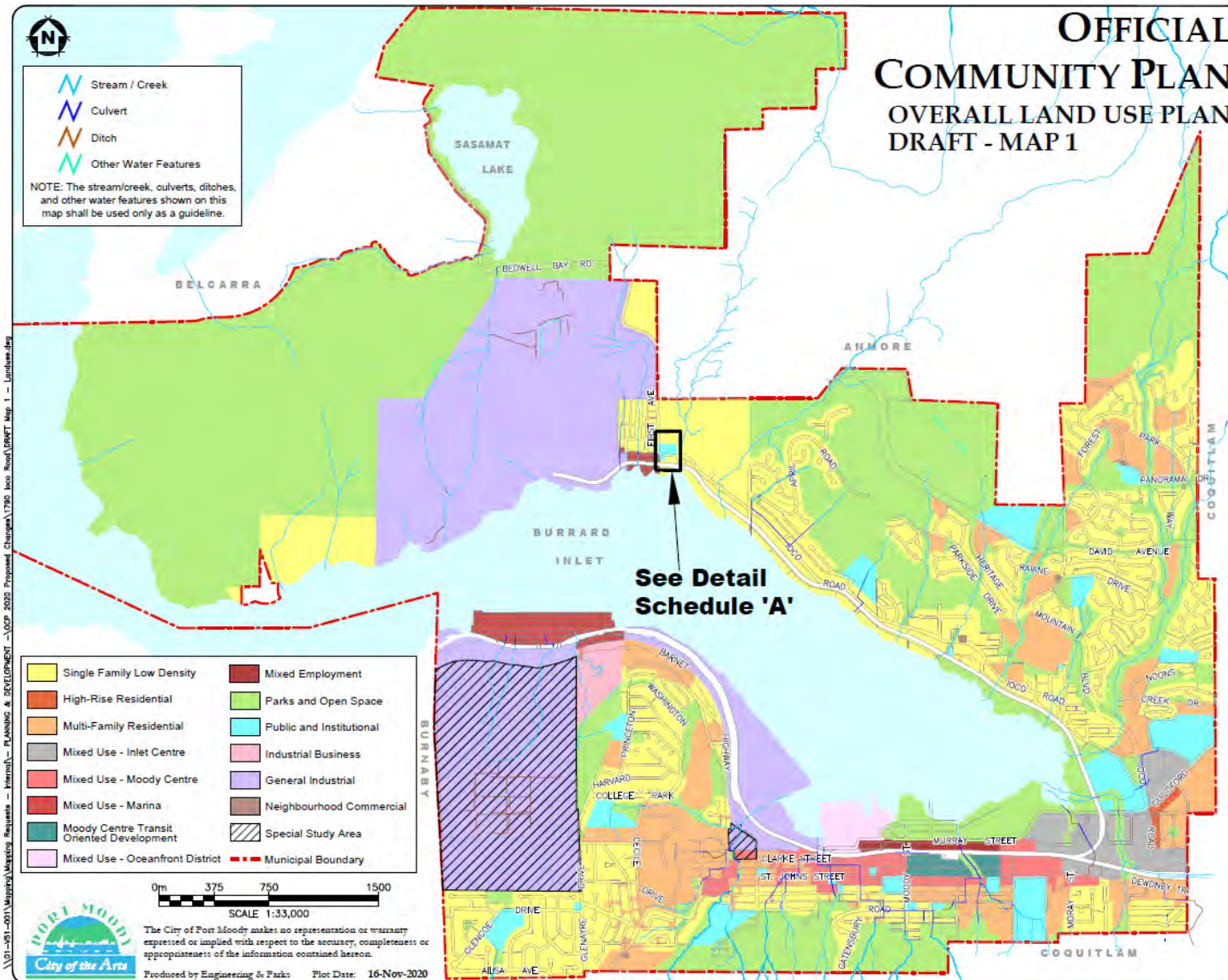




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Schedule B to Bylaw No. 3286



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## City of Port Moody

### Bylaw No. 3287

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to rezone a portion of the lands at Lot 1 NW15859 First Avenue from Single and Semi-Detached Residential (RS9) to Private Institutional (P2).

The Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as "City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 47, 2021, No. 3287 (Lot 1 NW15859 First Avenue) (P2)".

#### 2. Amendments

- 2.1 City of Port Moody Zoning Bylaw, 2018, No. 2937 is amended by rezoning a portion of the following lands from Single and Semi-Detached Residential (RS9) to Private Institutional (P2):

Lot 1 Government Reserve Lying Between District Lots 226 and 256  
Group 1 New Westminster District Plan 15859  
PID: 010-158-936

as shown on the map in Schedule A of this Bylaw.

#### 3. Attachments and Schedules

- 3.1 The following schedule is attached to and forms part of this Bylaw:
  - Schedule A – Location Map

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## 4. Severability

- 4.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**Read a first time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a second time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a third time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

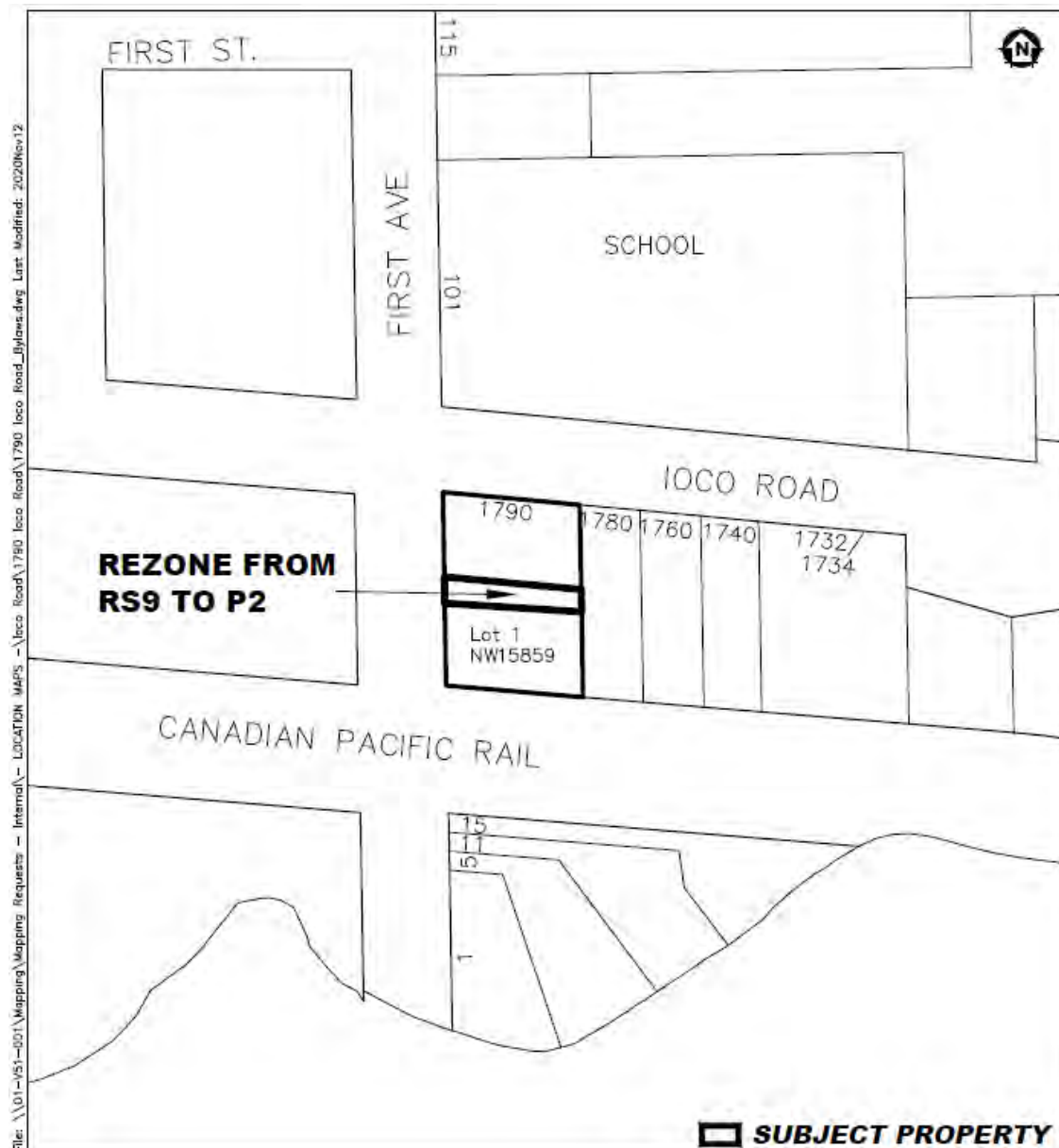
I hereby certify that the above is a true copy of Bylaw No. 3287 of the City of Port Moody.

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D. Shermer  
Corporate Officer

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Corporate Officer



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## **CITY OF PORT MOODY**

### **DEVELOPMENT VARIANCE PERMIT 3090-20-143**

**ISSUED BY:** CITY OF PORT MOODY

A municipal corporation pursuant to the *Community Charter*, S.B.C. 2003, c26 with offices at 100 Newport Drive, Port Moody, BC V3H 5C3

(the "City")

**TO:** The Trustees Of The St. Andrew's Pastoral Charge  
1790 Ioco Road  
Port Moody, BC V3H 5C5

(the "Owner")

**WHEREAS:**

- A. Colliers International, on behalf of the Owner, has made an application for a Development Variance Permit to vary the requirement to provide site servicing drawings and enter into an Engineering Servicing Agreement prior to the subdivision of the property described as:

**Parcel Identifier (PID):** 010-158-936; 010-159-100

**Legal Description:** Lot 1 Government Reserve Lying Between District Lots 226 And 256 Group 1 New Westminster District Plan 15859; Lot 21 Government Reserve Lying Between District Lots 226 And 256 Group 1 New Westminster District Plan 15859

(the "Land");

NOW THEREFORE, in accordance with subsection 498(1) of the *Local Government Act*:

1. This Development Variance Permit is issued subject to all requirements contained in the City's Bylaws, except where specifically varied or supplemented by this Development Variance Permit.
2. The City of Port Moody Zoning Bylaw, 2018, No. 2937, Section 13.3.2(e) is hereby varied to:

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- (i) reduce the minimum side yard setback adjoining a flanking street from 3.0m to 0m to facilitate the northern portion of the existing heritage building on Proposed Lot A, as shown on the Proposed Subdivision Plan attached as Schedule A to this Permit.
- 3. The City of Port Moody Subdivision and Development Servicing Bylaw, 2010, No. 2831, sections 8.4, 8.5, and 10.3 are hereby varied to:
  - (i) exempt the Owner from the requirement for the provision of site servicing and the submission of securities to cover the cost of all required works and services, prior to obtaining subdivision approval.
- 4. Prior to consideration of subdivision approval, the owner shall enter into a No-Build Covenant on Proposed Lot B, as shown on the Proposed Subdivision Plan attached as Schedule A to this Permit, that:
  - (i) prohibits any development of the Land; and
- 5. Parts 3 and 4 above of this development variance permit shall only be applied to the subdivision (lot line adjustment) of the Land as shown on the Proposed Subdivision Plan attached as Schedule A to this Permit.
- 6. Whenever the singular or masculine is used in this Permit, the same shall be deemed to include the plural, or the feminine, or the body politic, or corporate as the context so requires, and every reference to each party shall be deemed to include the heirs, executors, administrators, successors, and assigns of such party whenever the context or the parties so require.

**AUTHORIZING RESOLUTION PASSED BY COUNCIL** the \_\_\_\_ day of July, 2021.

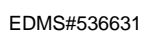
**ISSUED THIS** \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Rob Vagramov, Mayor

\_\_\_\_\_  
Dorothy Shermer, Corporate Officer

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## Proposed Subdivision Plan



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## Application Fact Sheet

Applicant:	Colliers International on behalf of Inlet United Church
Application Type:	OCP Amendment, Rezoning, Development Variance Permit, and Subdivision (Lot Line Adjustment)
Project Description:	Administrative updated to OCP land uses and Zoning Bylaw to facilitate a lot line adjustment
Development Permit Area:	Heritage Conservation Area: Ioco
Application Numbers:	3090-20-143 (DVP) 6700-20-207 (OCP Amendment and Rezoning) 6720-20-142 (Lot Line Adjustment)
Addresses:	1790 Ioco Road and the adjacent lot to the south (no civic address) legally described as Lot 1 Government Reserve Lying Between District Lots 226 And 256 Group 1 New Westminster District Plan 15859
Existing Zoning:	RS9
Proposed Zoning:	P2
Existing OCP Designation:	Single Family Low Density
Proposed OCP Designation:	Public and Institutional
Proposed Variances:	<p>To vary the Subdivision and Development Servicing Bylaw requirement for the provision of an Engineering Servicing Agreement prior to the approval of a subdivision.</p> <p>1790 Ioco Road Reduction of Exterior Side Lot Line Setback (Ioco Road) from 3m to 0m</p>
Property Description:	<p>The development site consists of two properties, 1790 Ioco Road and Lot 1, First Avenue, both located at the southeast corner of Ioco Road and First Avenue (<b>Attachment 4</b>).</p> <ul style="list-style-type: none"><li>1790 Ioco Road is 652m<sup>2</sup> (7,018ft<sup>2</sup>) in size and is developed with the Ioco United Church, a protected heritage building. The church was constructed in 1924 and has served the religious needs for the Ioco community for many decades. Key elements that define the heritage character of Ioco United Church includes its:</li></ul>



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- prominent location at the eastern entrance of the loco townsite, across from loco School, the Bowling Green and the CPR Railway track;
  - ecclesiastical form, scale and massing as expressed by its one-storey height with full basement, rectangular plan with front-gabled roof, belfry and projecting front-gabled enclosed porch;
  - Arts and Crafts elements such as triangular eave brackets, scrollcut rafters and wrought iron strap hinges on the front door; and
  - Interior features such as wooden tongue-and-groove ceiling.
- Lot 1, First Avenue is an undeveloped and unserviced parcel that is currently vegetated with tree cover. The property is 835m<sup>2</sup> (8,988ft<sup>2</sup>) in size.

## Neighbourhood Context:

Surrounding development mainly consists of the following:

- North: P1 zoned lot developed with a heritage building (loco School);
- East: RS9 zoned lots developed with single family homes;
- South: Canadian Pacific Railway; and
- West: Undeveloped C8 zoned land designated for Mixed Use - Marina.

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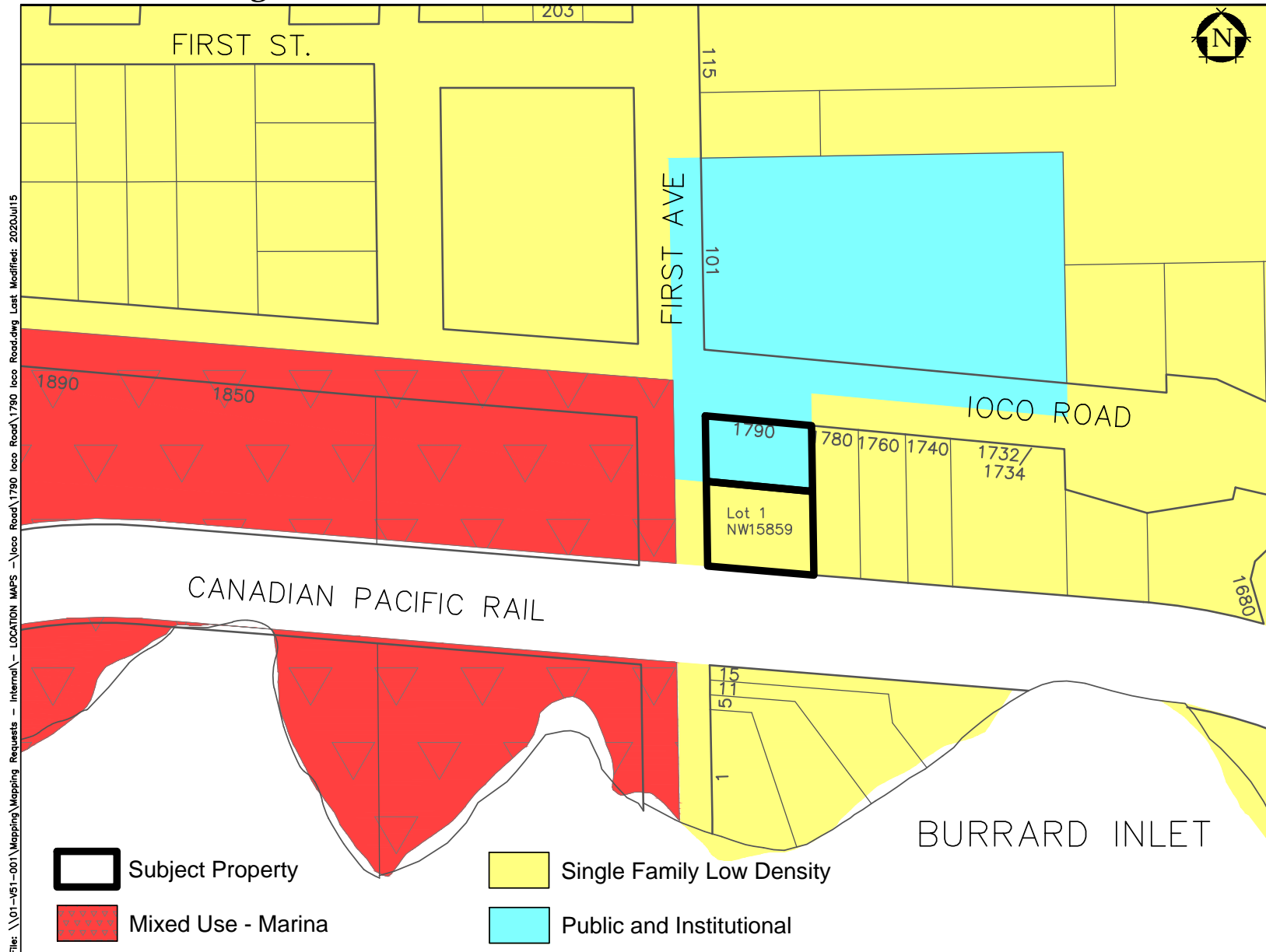
**LOCATION MAP - 1790 Ioco Road and Lot 1, Plan NW15859**   SUBJECT PROPERTY



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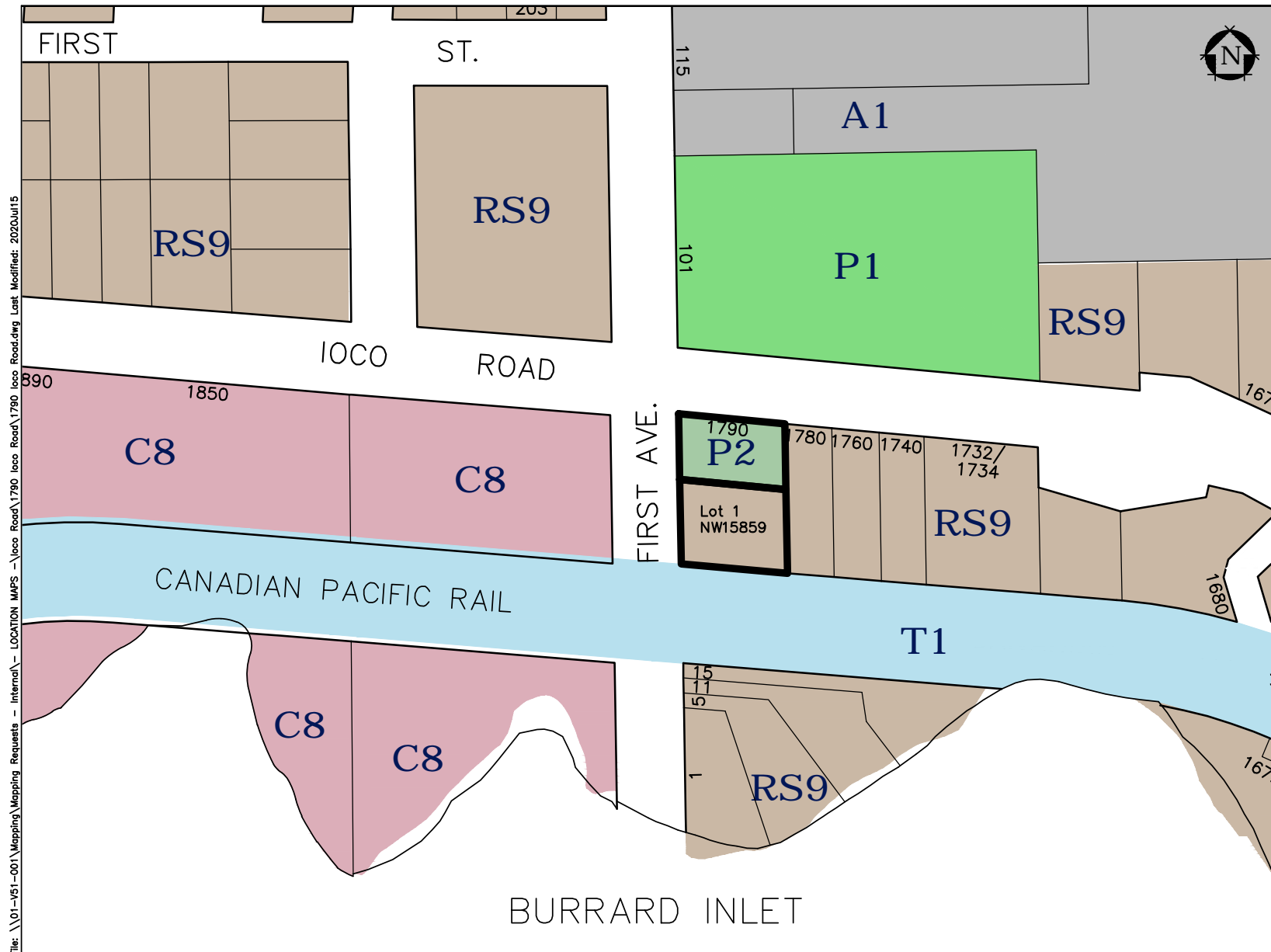
## Land Use Designations - 1790 Ioco Road and Lot 1, Plan NW15859



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## ZONING MAP - 1790 Ioco Road and Lot 1, Plan NW15859 SUBJECT PROPERTY



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## SKETCH OF PLAN PROPOSED SUBDIVISION PLAN OF LOTS 1 AND 21 BOTH OF GOVERNMENT RESERVE LYING BETWEEN DISTRICT LOTS 226 AND 256 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 15859

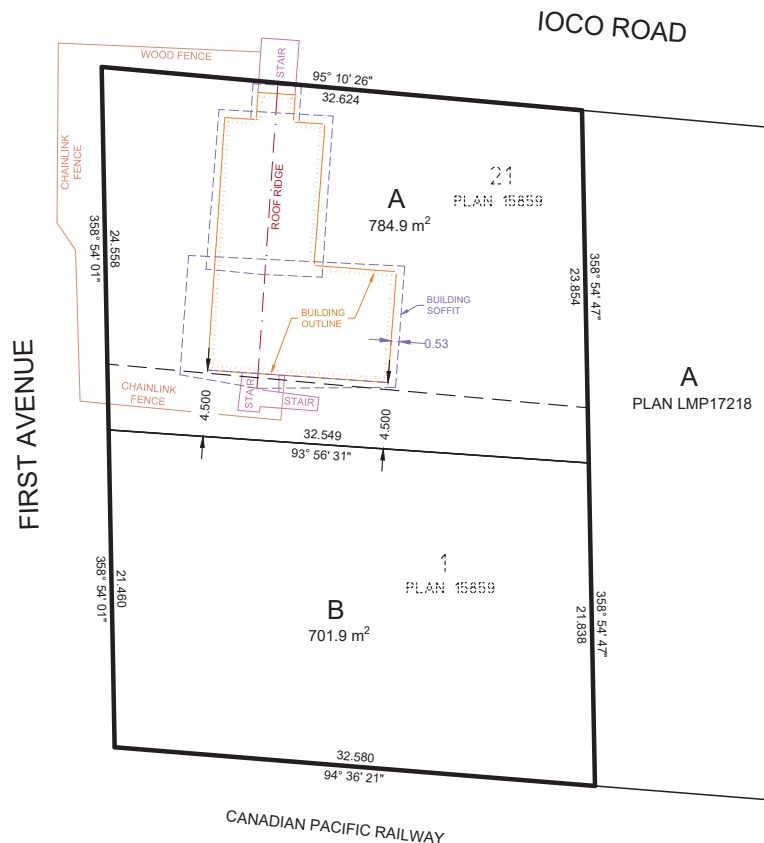
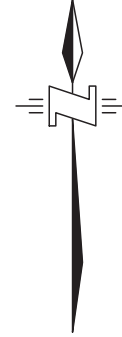
SCALE 1 : 300



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF  
THE INTENDED PLOT SIZE OF THIS PLAN IS 432 mm IN WIDTH BY  
280 mm IN HEIGHT (B-SIZE) WHEN PLOTTED AT A SCALE OF 1:300

### LEGEND:

m<sup>2</sup> DENOTES SQUARE METRE(S)



McELHANNEY ASSOCIATES  
LAND SURVEYING LTD.  
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13450 102nd Avenue  
Surrey BC  
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OUR FILE NO. 2112-08952-00  
OUR DRAWING NO. V-03 R3.DWG  
JULY 29, 2020