



City of Port Moody

Report/Recommendation to Council

Date: June 1, 2021

Submitted by: Community Development Department – Building, Bylaw, and Licensing Division

Subject: Zoning Bylaw Housekeeping Amendments

Purpose

To present a housekeeping amendment bylaw for Zoning Bylaw No. 2937 for Council consideration.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 56, 2021, No. 3317 (Housekeeping) be read a first and second time and referred to a Public Hearing as recommended in the report dated June 1, 2021 from the Community Development Department – Building, Bylaw, and Licensing Division regarding Zoning Bylaw Housekeeping Amendments.

Background

The Zoning Bylaw was adopted in June 26, 2018. Annually, staff prepare a housekeeping amendment Bylaw to address errors or omissions, improve language clarity, and address changes to procedures or industry practices.

Discussion

City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 56, 2021, No. 3317 (Housekeeping) (**Attachment 1**) provides for the following housekeeping amendments:

- In the definition of Commercial Athletic and Recreation, the word boarding was capitalized in error as a capitalized word indicates a defined term. The proposed amendment is to spell boarding with a lower-case b to remove confusion with the definition of Boarding in the Bylaw.
- In section 5.2.12, the word “height” was capitalized in error as a capitalized word indicates a defined term. This was not the intention of the use of the word height for this section. The proposed amendment is to spell height with a lower-case h to remove confusion with the definition of height in the Bylaw.

- The regulations for fence height do not adequately consider properties that abut a major road or community pathway. Staff have received many inquiries for property owners who want to replace their existing fence but do not meet the current regulation. The proposed amendment will allow a maximum height of 3.0m for any side or rear property line that abuts a major road or a community pathway to allow for noise attenuation and privacy.
- The City has received inquiries and complaints about shipping containers being placed on residential properties. Shipping containers are not constructed to meet the standards of the BC Building Code, and, although modifications can be made to make them safe to occupy, staff do not recommend this use in residential neighbourhoods. The proposed amendment will not prohibit the use of shipping containers for both short-term storage use and construction use.
- The setback encroachment language is not clear in the Bylaw. The proposed amendment is to clarify when an encroachment is allowed, establish a consistent method of measurement, and list all applicable building components.
- The Zoning Bylaw includes the area for elevators on all floors in the Floor Area Ratio (FAR) calculation. To encourage building designs that would allow for aging in place, the proposed amendment is to exclude the area for elevators in the FAR calculation.
- The language for the required setback buffer between a Principal building and a Detached Accessory Dwelling Unit is not clear in the Bylaw. The proposed amendment clarifies that a deck from either building may project into the buffer area.
- The number of parking spaces required for a Service Station use is unclear. The proposed amendment clarifies the number of parking spaces for Service Stations with or without a retail store.
- Requirements for the provision of electric vehicle charging spots is unclear. The proposed amendment clarifies that all residential parking spots including residential Single Detached and Semi Detached are required to meet the requirements for electric vehicle charging.
- The requirements for the front yard setbacks for an accessory building in the A1 zone differs from other detached residential zones. The proposed amendment makes the front yard setback requirement for an accessory building consistent across all detached residential zones.
- Recent small-lot subdivision applications found the calculation of building height using existing grades challenging. The proposed amendments to the RS1 and RS1-S regulations will allow grade to be determined from a City-approved lot grading plan rather than existing property grade and thus measure building height from the approved grade on the lot grading plan.

- In circumstances where a property is rezoned to small lot zoning and a subdivision is being requested, it was unclear at what point in the process the higher FAR calculation applies. The proposed amendment ensures that properties that have been rezoned, but have not completed the subdivision process, cannot build to the higher FAR until the subdivision process is completed.
- Seasonal pop-up businesses were not contemplated in the C3 zone. The proposed amendment will allow seasonal pop-up business such as garden centres to operate outside of a building in the C3 zone.

Other Option(s)

1. That the report dated June 1, 2021 from the Community Development Department – Building, Bylaw, and Licensing Division regarding Zoning Bylaw Housekeeping Amendments be received for information.

Financial Implications

There are no financial implications associated with the recommendations in this report.

Communications and Civic Engagement Initiatives

Statutory requirements for advertising and notification will be met if a Public Hearing is scheduled.

Council Strategic Plan Objectives

This report aligns with Council Strategic Plan Objectives by providing clarity for interpretation of the Building Bylaw by providing excellent customer service.

Attachment(s)

1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 56, 2021, No. 3317 (Housekeeping).

Report Author

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Report Approval Details

Document Title:	Zoning Bylaw Housekeeping Amendments .docx
Attachments:	- Attachment 1 - Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 56, 2021, No. 3317 (Housekeeping).pdf
Final Approval Date:	Jun 14, 2021

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

Kate Zanon, General Manager of Community Development - Jun 10, 2021 - 10:24 AM

Dorothy Shermer, Corporate Officer - Jun 10, 2021 - 10:26 AM

Natasha Vander Wal for Rosemary Lodge, Manager of Communications and Engagement - Jun 10, 2021 - 11:31 AM

Paul Rockwood, General Manager of Finance and Technology - Jun 10, 2021 - 4:07 PM

Tim Savoie, City Manager - Jun 14, 2021 - 9:06 AM