



# City of Port Moody

## Report/Recommendation to Council

Date: April 19, 2022  
Submitted by: Community Development Department – Development Planning Division  
Subject: Pre-existing RS1 Small Lots

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### Purpose

To report to Council on the current pre-existing small lots within Port Moody and the option to rezone as RS-1S.

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### Recommended Resolution(s)

**THAT staff proceed with initiating a rezoning process for pre-existing RS1 lots which measure less than 500m<sup>2</sup> within the Moody Centre neighbourhood area as noted in the report dated April 19, 2022 from the Community Development Department – Development Planning Division regarding Pre-existing RS1 Small lots.**

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### Background

A report in relation to pre-existing small lots was brought forward to Council by Councillor Milani at the October 27, 2020, Regular Council Meeting. The term “small lot anomaly” was used to reference the pre-existing small lots that do not conform to the RS-1 zone of today which requires a minimum frontage of 15m and a minimum lot area of 555m<sup>2</sup>. The parcels were created before the introduction of the small lot program but remain under RS-1 zoning. Council considered the report and passed the following resolution:

RC20/402

THAT staff be directed to identify all pre-existing RS1 zoned properties that are smaller than the current RS1 minimum lot size and report back with associated costs and implications on rezoning them as RS1-S.

The report was prompted by a rezoning application for 2612 Henry Street. The applicant was requesting rezoning to RS1-S to have the benefit of an increase in the maximum permitted floor area ratio (FAR), and an increase in the maximum permitted lot coverage to facilitate a renovation and the addition of a laneway house (Detached Accessory Dwelling Unit – DADU) on the property. This application was approved by Council on November 16, 2021.

See **Attachment 1** for development regulation comparison of the RS-1 to RS-1S.

## Discussion

Consideration of initiating a rezoning process for RS1 lots to RS1-S requires consideration of the following:

- Analysis of the existing small lots in Port Moody;
- Analysis of neighbourhoods and past direction for inclusion in the small lot program;
- Laneway Houses (Detached Accessory Dwelling Units) opportunity;
- Options for implementing servicing requirements; and
- Processing time and cost implications;

### Pre-existing small lots in Port Moody

Historically, a range of lot sizes have been created based on land ownership, housing needs and planning practices. Some of the lots created in the past are very similar in size to the current RS1-S infill lots associated with the small lot (lots under 555m<sup>2</sup>) and laneway housing programs.

Staff started this review by investigating the number of properties that measure less than 555m<sup>2</sup>. Staff located a total of 327 properties that meet this size criteria (see map in **Attachment 2**). Table 1 tallies all pre-existing lots smaller than 555m<sup>2</sup> per neighbourhood. The location of the lots was categorized using the Official Community Plan – Neighbourhood areas map (see **Attachment 3**):

	Number of lots that measure less than 555m <sup>2</sup>
April Road	2
College Park	10
Glenayre	2
Harbour Heights	38
Heritage Mountain	10
Heritage Woods	1
<b>Moody Centre</b>	<b>37</b>
Mountain Meadows	50
<b>Pleasant side</b>	<b>139</b>
<b>Seaview</b>	<b>18</b>
Twin Creeks	20
Total	<b>327</b>

Table 1 Number of Lots Measuring less than 555m<sup>2</sup>

The RS-1S zone was created to accommodate gentle infill in three preferred neighbourhoods Moody Centre, Pleasant side, and Seaview.

Staff also examined newly created RS-1S lots that have been rezoned by council over the past three years. In most of these applications, the lots measured approximately 20m across (frontage) and 40m to 50m in length. Following rezoning and subdivision the new small lots typically measured under 500m<sup>2</sup>. Some examples of newly created/rezoned RS-1S lots in these neighbourhoods measure as follows:

Address	Lot size before subdivision	Current Lot	House size	DADU, Garage
2620 St George St	20m x 40m	402m <sup>2</sup> (4361 ft <sup>2</sup> )	273.3m <sup>2</sup> (2942 ft <sup>2</sup> )	95.5m <sup>2</sup> (1028 ft <sup>2</sup> )
2612 Henry St	10m x 40m	405m <sup>2</sup> (4361 ft <sup>2</sup> )	201.6m <sup>2</sup> (2170 ft <sup>2</sup> )	114.5m <sup>2</sup> (1232 ft <sup>2</sup> )
2709 St George St	20m x 40m	405m <sup>2</sup> (4357ft <sup>2</sup> )	342.5m <sup>2</sup> (3687 ft <sup>2</sup> )	73m (786 ft <sup>2</sup> )
2801 Henry St	20m x 40m	412m <sup>2</sup> (4441ft <sup>2</sup> )	341.8m <sup>2</sup> (3679 ft <sup>2</sup> )	79.6m (857 ft <sup>2</sup> )
212 Mount Royal	19m x 50m	486m <sup>2</sup> (5227 ft <sup>2</sup> )	382.2m <sup>2</sup> (4114 ft <sup>2</sup> )	103m <sup>2</sup> (1109 ft <sup>2</sup> )

Table 2 Recently Rezoned and built house size

Based on the above-referenced recent RS-1S rezoned sites, staff focussed this review on the lots under 500m<sup>2</sup> in the three preferred neighbourhoods. For the lots between 500m<sup>2</sup> and 550m<sup>2</sup> staff do not recommend including these lots in a City initiated rezoning process as these lots should be more carefully reviewed to address impacts of lot coverage and floor area ratio (FAR) changes (discussed further below). These lots could still be considered for RS1-S zoning but would be considered on a case-by-case basis by the lot owners. A map of the small lots below 500m<sup>2</sup> is included as **Attachment 4** and summarized in the table below:

RS1-S Neighborhoods	Total lots which measure under 500m <sup>2</sup>
PleasantSide	85
Moody Centre	15
Seaview	0
<b>Total:</b>	<b>100</b>

Table 3 Lots which measure under 500m<sup>2</sup>.

Only two of the three preferred neighbourhoods, Moody Centre and PleasantSide have lots under 500m<sup>2</sup>.

#### Laneway Houses (Detached Accessory Dwelling Units DADU)

The zoning bylaw outlines that a DADU is permitted on lots with secondary access to the rear of the lot via a Street or a Lane. Moreover, a key condition is that the secondary access to the rear of the lot is of a grade, quality (weight-bearing), surface width, and clearance that allows for accessibility by emergency services apparatus. Out of the 100 lots reviewed there are 41 lots with existing lane access. The exact state of each lane was not reviewed in detail; however, in general, most lanes are not up to present-day standards for emergency services access as currently required in the zoning bylaw. For DADU development this means that each lane would require a case-by-case assessment, by fire, engineering, and planning to determine if a DADU would be allowed. Upgrades may be needed in some cases before a DADU can be built.

RS1-S Neighborhoods	Total lots measure under 500m <sup>3</sup>	Has Lane (DADU Potential)
PleasantSide	85	31
Moody	15	10
<b>Total :</b>	<b>100</b>	<b>41</b>

Table 4 Lots with rear lane access

The RS1-S zone allows for a floor area ratio (FAR) of 0.70 to allow for both a primary residence and DADU on these lots. Staff note that the RS1-S zoning does not require that a certain amount of the allowable floor area be designated for a laneway house. With a blanket rezoning change for pre-existing small lots, there is no guarantee that owners would use the extra FAR and lot coverage for a laneway house. As no mechanism currently exists to impose the usage of the FAR and lot coverage specifically for DADUs increased FAR for pre-existing lots may also be used for single-family home additions or new larger single-family homes (see FAR details in **Attachment 1**).

Servicing Requirements

Servicing requirements are commonly addressed through the subdivision and rezoning process. For lots where no subdivision process is required servicing requirements are addressed as part of the rezoning process.

Servicing in the subject neighbourhoods for stormwater, sanitary and water in many cases are below the standard required today or simply not available. A related consideration is the potential environmental aspects, as some of the subject properties are within an environmentally sensitive area (ESA) and some have drainage ditches adjacent to their properties. The following table summarises these findings:

RS1-S Neighborhoods	Total lots measure under 500m3	Lots with NO storm	Lots needing Storm upgrades	Lots needing Sanitary upgrades	Lots needing Water upgrades	Lots not needing any underground servicing upgrades
PleasantSide	85	48	14	71	59	8
Moody	15	13	1	15	15	0
<b>Total :</b>	100	<b>61</b>	<b>15</b>	<b>86</b>	<b>74</b>	<b>8</b>
		<b>61%</b>	<b>15%</b>	<b>86%</b>	<b>74%</b>	<b>8%</b>

Table 5 Servicing Analysis

Of the 100 remaining lots being considered for a zoning change, 61 do not have a connection to a municipal storm sewer, and either drain into a ditch, infiltrates into the ground, or drain over land. 39 lots do have connections to a storm sewer, however, 15 of these lots may require upgrading as the connections are 30 years or older. Staff note that the extra FAR and lot coverage allowed in the RS1-S zone will create more impermeable surfaces in areas that generally do not have adequate or non-existing storm sewers.

Staff also reviewed the sanitary and water connections, and due to the age of the infrastructure found that 86% of the subject lots would require a new sanitary connection, and 74% of the subject lots would require a new water connection. In summary, only 8 lots have all the servicing requirements to support new construction.

The blanket rezoning of the subject small lots will eliminate the City’s ability to request new servicing. Through the building permit process, missing service connections or gaps in the existing municipal water and sanitary or drainage systems can be addressed. However, if the lot

has existing connections, the City would not be able to request upgrades as part of a building permitting process.

Furthermore, off-site neighbourhood improvements such as the installation of sidewalks, street trees, and street lights would not be addressed as part of the blanket rezoning. Presently, these off-site neighbourhood improvements are addressed on a case-by-case basis as part of a rezoning application. If the subject lots are rezoned under a city-initiated process, there would no longer be an opportunity to request these neighbourhood improvements.

#### Processing time and cost implications

A typical application process for an RS1-S rezoning could take six to nine months. At times this timeline could extend beyond 9 months due to complex, site-specific challenges that staff may assess during the review process. The net application processing time savings by removing the rezoning step for the subject lots is anticipated to be approximately three to six months. Staff cautions that this may not be realized if there are complex servicing requirements as these would need to be addressed at the building permit stage adding more time to this process.

In terms of cost, owners would be saving the fees associated with a rezoning application which currently cost \$5595.00 (including Base Fee, Unit Fee and Scanning Fee).

#### Conclusions

Staff recommend an incremental approach to consider a City initiated zoning process. Staff recommends that lots under 500m<sup>2</sup> located in the Moody Centre neighbourhood (see map in **Attachment 4**), be considered first as there is more knowledge and understanding of the RS1-S program within this neighbourhood. An incremental approach would allow staff to analyze unforeseen challenges prior to consideration of a City initiated zoning process for lots under 500m<sup>2</sup> in the Pleasantside neighbourhood.

#### Other Option(s)

1. THAT staff be directed to proceed with a City initiated zoning process for all pre-existing small lots which measure less than 500m<sup>2</sup> in the Pleasantside and Moody Centre neighbourhood as noted in the report dated April 19, 2022, from the Community Development Department – Development Planning Division regarding Pre-existing RS1 Small lots.
2. THAT the report dated April 19, 2022 from the Community Development Department – Development Planning Division regarding Pre-existing RS1 Small lots be received for information.

#### Financial Implications

The direct cost to the City of initiating a rezoning process is limited to the cost of advertising and required notification that would be mailed out to the properties and/or their neighbours. There are also staffing cost to prepare Bylaws, reports and support the Public Hearing.

The indirect costs include the forgone revenue associated with each property owner initiating their own rezoning application.

## Communications and Civic Engagement Initiatives

The Local Government Act does allow for the waiver of a public hearing for a proposed zoning bylaw change if an official community plan is in effect for the area that is subject to the zoning and the proposed bylaw is consistent with that official community plan. Council has already previously indicated the City would routinely waive public hearings for small lot rezonings.

The Local Government Act also notes that no individual notifications need to be sent to owners or tenants if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration. With this in mind, notification could be limited to advertising in the newspaper and on the City's website. However, given the interest of some of the owners staff recommend written notification be provided to the owners and residents of all subject lots that would be considered in a City initiated re-zoning process.

## Council Strategic Plan Objectives

The proposal is consistent with the strategic priority of Community Evolution in the 2019-2022 Council Strategic Plan as it relates to the objective of ensuring that future community growth is carefully considered and strategically managed, consistent with the City's Official Community Plan.

## Attachment(s)

1. Development Regulation Table (RS-1 and RS-1S)
2. Map - Pre-existing small lots - Port Moody
3. Map - Official Community Plan - Neighbourhood Areas
4. Map - Pleasantside and Moody Centre - Lots below 500m<sup>2</sup>
5. Map - Moody Centre - Lots below 500m<sup>2</sup>

## Report Author

Andrei Pop B.A, MPA  
Development Planner (TACT)

## Report Approval Details

Document Title:	Pre-existing RS1 Small Lots.docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Development Regulation Table (RS-1 and RS-1S).pdf</li><li>- Attachment 2 - Map - Pre-existing small lots - Port Moody.pdf</li><li>- Attachment 3 - Map - Official Community Plan - Neighbourhood Areas.pdf</li><li>- Attachment 4 - Map - Pleasantside and Moody Centre - Lots below 500m2 .pdf</li><li>- Attachment 5 - Map - Moody Centre - Lots below 500m2.pdf</li></ul>
Final Approval Date:	Jun 17, 2022

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

Kate Zanon, General Manager of Community Development - Jun 14, 2022 - 3:19 PM

Rosemary Lodge, Manager of Communications and Engagement - Jun 16, 2022 - 3:19 PM

Paul Rockwood, General Manager of Finance and Technology - Jun 17, 2022 - 7:46 AM

Tim Savoie, City Manager - Jun 17, 2022 - 2:44 PM