



City of Port Moody

Report/Recommendation to Council

Date: June 27, 2022
Submitted by: Community Development Department – Development Planning Division
Subject: Bare Land Strata Front-Back Zoning Concept

Purpose

To provide an update to the Small Lot and Laneway Housing Program and present a bare land strata option for subdivision in the Seaview neighbourhood.

Recommended Resolution(s)

THAT staff be directed to bring forward the necessary bylaw amendments based on the Front-Back Zone concept as recommended in the report dated June 27, 2022 from the Community Development Department – Development Planning Division regarding Bare Land Strata Front-Back Zone Concept.

Background

In 2019, a rezoning application was submitted in the Seaview neighbourhood along the east side of Westmount Drive to rezone an existing single-family lot from Single Detached Residential (RS1) to Single Detached Residential – Small Lot (RS1-S) to facilitate a side-by-side subdivision. As part of the discussion on this application at the Public Hearing and third reading consideration on September 8, 2020, Council identified a preference for a front-back configuration for the project instead of the proposed side-by-side subdivision plan. Subsequently, Council postponed third reading consideration of the rezoning bylaw until staff reported back on small lot subdivisions in the neighbourhood.

At the Special Council Meeting held on November 17, 2020, staff reported to Council and provided an overview of the small lot and laneway housing options, and key challenges experienced in the Port Moody program. It was indicated that a conventional fee simple front-back subdivision (i.e., freehold land) would require servicing and road upgrades to the rear lanes as they would be considered fronting roads. In almost all cases, these upgrades would be cost prohibitive and would not be feasible. In the November 17, 2020 presentation to Council, various alternatives were presented that could achieve the desired infill, including duplexes and bare land strata subdivisions, which could achieve a front-back subdivision look and feel, while limiting the costs of servicing and rear lane upgrades. At the meeting, Council passed the following resolution:

CW20/108-110

THAT the memo dated November 3, 2020 from the Community Development Department – Development Planning Division regarding Small Lot and Laneway Housing Presentation be received for information;

AND THAT staff be directed to update the small lot program to include both general program requirements and neighbourhood-specific requirements;

AND THAT a consultant be retained to provide the updates;

AND THAT staff be directed to draft a policy to allow for assigning addresses from the front for front-back bare land strata applications.

While the City is working with a consultant (as directed by Council above) to advance the updates that were previously presented, staff have been working on a concept zone that would allow for two homes, each with secondary suites, on an existing single-family property in a front-back configuration for a subarea of the Seaview neighbourhood, as shown on **Attachment 1**.

Discussion

Introduction

Based on Council direction to explore front-back subdivision in the Seaview neighbourhood and specifically along Westmount Drive, staff have explored various approaches to achieve a subdivision with a front-back configuration, on a Single Detached Residential (RS1) zoned lot. This report focuses on a bare land strata option to achieve the desired outcome, which a draft concept zone has been included as **Attachment 2**.

Eligibility

The proposed front-back alternative would require eligible properties to have a rear lane, adequate depth (at least 48m in order to create two lots with adequate yard space), and be located in the Seaview neighbourhood. Based on these criteria, the zone would be available to approximately 25 lots, mostly along the east side of Westmount Drive and the west side of Tuxedo Drive (**Attachment 1**). Due to the existing steep topography on some of these lots, potential eligibility may further be restricted and would need be identified on a case-by-case basis.

Front-Back Concept Zone

Staff retained a architect consultant to complete a zoning study report to determine the best zoning regulations for the front-back bare land strata concept (**Attachment 3**). The objectives were to maintain the existing single family dwelling neighbourhood character awhile accommodating appropriate scale infill development. Through this exercise, the consultant provided recommendations which influenced the front-back bare land strata concept zone; the report includes provisions related to parking, setbacks, height, and density. Key characteristics of the study that were incorporated into the concept zone include:

- Driveway access from the fronting street and rear lane;
- Smaller “infill” houses in the rear; and
- Wider side yard setbacks.

VariANCES

Deviations from the Zoning Bylaw are required to address driveway access and environmental setbacks to ditches as driveways would exist on both the fronting road and rear lane. While these issues would currently require variance consideration from Council, the concept zone could be written so that it is not necessary. Ultimately, these items may be addressed with the updates to the overall Small Lot and Laneway House Program.

SERVICING

In a fee simple subdivision, a front-back lot configuration for this portion of the Seaview neighbourhood would require significant upgrades to Grouse Lane including road widening, extension of City servicing, and extension of private utilities such as telecommunications or BC Hydro. Alternatively, a bare land strata subdivision approach allows for both properties to access utilities from the fronting street. For example, the two lots would get one water service connection and then split the service within the property line. As such, a utility easement is required for all bare land strata development that the strata would be responsible for.

Form and Character Development Permit

Under the current OCP Development Permit guidelines, intensive residential development (ie. small lot subdivisions) are not required in this area of the city (Development Permit Area 1). Due to the unique configuration and development pattern of the front-back concept, it is recommended that a concurrent OCP amendment be completed to provide the framework for minor development permits for this type of development. If this approach is supportable by Council, it is proposed that the minor development permit would be delegated to staff for approval.

Implementation

It should be noted that the *Local Government Act* does not allow a municipality to adopt the zone unless it has boundaries around a specific property or properties. That said, the City is in receipt of one active application for a front-back subdivision along Westmount Drive and can possibly work with that applicant to rezone the property to this concept zone. However, it should be noted that at this stage, the application is generally inconsistent with the concept zone as it proposes laneway houses, greater density, and smaller setbacks. If the applicant has interest in pursuing a front-back bare land strata subdivision under this new concept zone, the above OCP amendment bylaw would be prepared by staff to incorporate the proposed residential development permit process.

Other Option(s)

THAT the concept draft zoning regulations regarding the bare land strata option be revised.

Financial Implications

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

Communications and Civic Engagement Initiatives

At this time, there is no development proposal that is consistent with the zone concept presented in this report. If a development application is submitted, a notification sign on the property to inform the public of the rezoning application will be installed, in accordance with the City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918. If the project

proceeds through Bylaw readings, the public will have an opportunity to comment at a 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 site notification sign.

Council Strategic Plan Objectives

The proposal is consistent with the goals of Council's 2019-2022 Strategic Plan related to a Healthy City by planning for a variety of housing types to meet community needs.

Attachment(s)

1. Area of Eligibility Map.
2. Draft Front-Back Bare Land Strata Concept Zone.
3. Consultant Front-Back Concept Zoning Study Report.

Report Author

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Report Approval Details

Document Title:	Bare Land Strata Front-Back Zoning Concept.docx
Attachments:	- Attachment 1 - Area of Eligibility Map.pdf - Attachment 2 - Draft Concept Zone.pdf - Attachment 3 - Front-Back Zoning Concept Study Report.pdf
Final Approval Date:	Jul 4, 2022

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

Kate Zanon, General Manager of Community Development - Jun 28, 2022 - 10:44 PM

Rosemary Lodge, Manager of Communications and Engagement - Jun 30, 2022 - 2:27 PM

Paul Rockwood, General Manager of Finance and Technology - Jun 30, 2022 - 4:42 PM

Tim Savoie, City Manager - Jul 4, 2022 - 10:33 AM