



# City of Port Moody

## Report/Recommendation to Council

Date: June 18, 2024  
Submitted by: Community Development Department – Policy Planning Division  
Subject: Province’s Local Government Housing Initiatives – Bill 44 Small-Scale, Multi-Unit Housing and Bill 47 Transit-Oriented Areas

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### Purpose

To present two bylaws for Council’s consideration of first, second, and third readings: Bylaw No. 3460 for the purpose of amending Port Moody’s Zoning Bylaw to accommodate Small-Scale Multi-Unit Housing (SSMUH) as prescribed by Bill 44; and secondly, Bylaw No. 3465, which incorporates a map for the designation of Transit-Oriented Areas (TOAs) in Port Moody, along with revised residential parking standards in those areas, in accordance with Bill 47.

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### Recommended Resolution(s)

**THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 94, 2024, No. 3460 (SSMUH) and City of Port Moody Transit-Oriented Areas Designation Bylaw, 2024, No. 3465 be read a first, second, and third time, as recommended in the report dated June 18, 2024, from the Community Development Department – Policy Planning Division regarding Province’s Local Government Housing Initiatives – Bill 44 Small-Scale, Multi-Housing and Bill 47 Transit-Oriented Areas.**

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### Executive Summary

Staff presented a report to Council on March 12, 2024, regarding the Provincial housing legislation enacted in late 2023 and its effects on Port Moody. Two pieces of that legislation, Bills 44 and 47, stipulated a June 30, 2024, deadline for local governments to adopt bylaws consistent with those statutes. This report brings forward two bylaws for Council’s consideration to meet the requirements of Bills 44 and 47:

- Bylaw No. 3460 (SSMUH) proposes to amend the City’s Zoning Bylaw to incorporate the Province’s Bill 44 SSMUH requirements. As Bill 44 specifically precluded a public hearing for the SSMUH related amendments to the Zoning Bylaw, it is recommended that Bylaw No. 3460 be given consideration for three readings, and then subsequently, consideration of final reading and adoption by Council prior to the Province’s June 30, 2024, deadline date.

- Bylaw No. 3465 (TOAs) firstly, responds to the Bill 47 requirement of using coordinates provided by the Province in Order in Council (OIC) 674/2023 to designate the two TOAs identified for Port Moody on a map (centered on the Moody Centre and Inlet Centre SkyTrain stations). In addition, this Bylaw includes revised residential parking standards for TOAs that are consistent with the directions of Bill 47. Under a recently enacted regulation stemming from Bill 47, Bylaw No. 3465 is similarly being brought forward for Council consideration of three readings and then final reading and adoption by the June 30, 2024, Provincial deadline date.

This report provides an overview discussion of Bills 44 and 47 in the context of Port Moody and sets out the necessary bylaw amendments to meet the requirements of this Provincial legislation. Challenges, concerns, shortcomings that require monitoring or further study as result of these statutes are also identified along with a brief discussion of anticipated impacts and outcomes. In complying with the Bill 44 and 47 directives of expanding housing opportunities in Port Moody, civic infrastructure and facilities will be impacted and staff are advocating for the province to provide capital project funding assistance to those municipalities working to support this growth.

## Background

### Bill 44 Small-Scale Multi-Unit Housing Residential Zoning Changes

In Fall 2023, the Province passed a series of legislation aimed at enabling increased residential density in BC communities. As part of the [Homes for People Action Plan](#), the Province enacted the following legislative changes:

- *2023 Housing Statutes (Residential Development) Amendment Act*, Bill 44;
- *2023 Housing Statutes (Development Financing) Amendment Act*, Bill 46;
- *2023 Housing Statutes (Transit-Oriented Areas) Amendment Act*, Bill 47; and
- *2023 Short-Term Rental Accommodations Act*, Bill 35.

These bills represent a very significant change to the Province's community planning framework for local governments and set out critical deadlines for the City. The timing of implementation of each of these pieces of legislation varies. As discussed in this report, Bill 44 and Bill 47 require compliance by all local governments by June 30, 2024. Bill 44 is necessitating major changes to Port Moody's Zoning Bylaw with respect to the provincially mandated SSMUH requirements, but has other implications as well, which are briefly touched on below. Bill 47 requires designation by bylaw and the inclusion of a map to show each TOA boundary around the Inlet Centre Skytrain station and Moody Centre Skytrain station, and to remove off-site residential parking minimums as a Zoning Bylaw requirement in the TOAs.

The focus of Bill 44 is to establish new housing unit minimums for all Single Detached Residential and Duplex (classified as Semi-Detached Residential in Port Moody's Zoning Bylaw) lots in the City. As Port Moody is wholly within Metro Vancouver's urban containment boundary, all Single Detached Residential and Duplex lots are eligible for the following unit minimums under the SSMUH requirements, provided the lot does not qualify for an exemption:

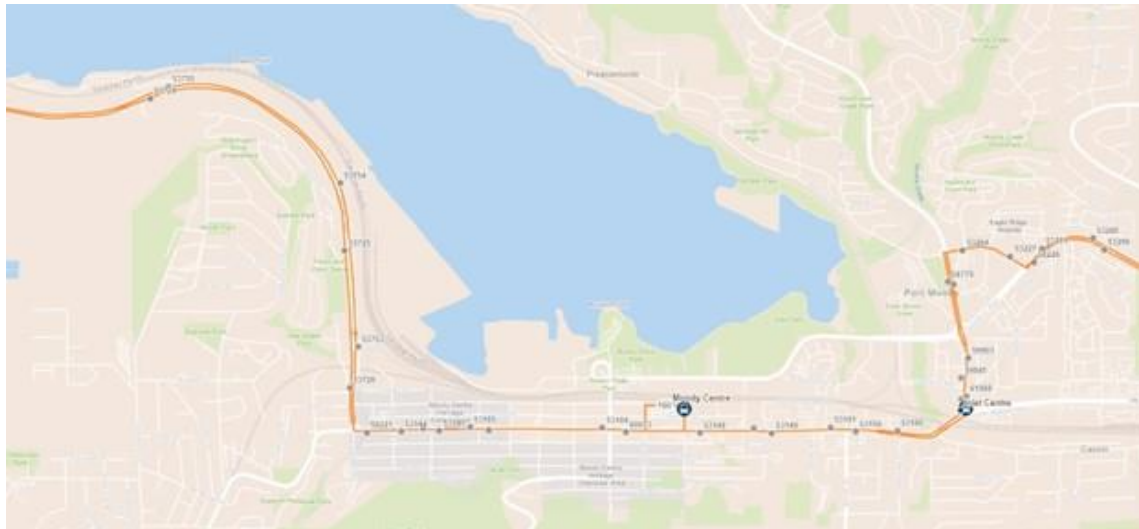
- a minimum of 3 units must be permitted on each parcel of land less than 280m<sup>2</sup> (3,014ft<sup>2</sup>);
- a minimum of 4 units must be permitted on each parcel of land greater than 280m<sup>2</sup>; or
- a minimum of 6 units must be permitted on each parcel of land greater than 280m<sup>2</sup> and within 400m of a prescribed bus stop.

A prescribed bus stop refers to any bus stop that is served by at least one bus route that is scheduled to stop at least every 15 minutes, on average, between the hours of:

- 7am and 7pm, Monday to Friday; and
- 10am and 6pm on Saturdays and Sundays.

For Port Moody, the only bus route that meets this service criteria is the 160 route, as shown on Map 1 below.

Map 1 – 160 Bus Route (Source: TransLink’s website)



In addition to enacting this legislation, the Province released the [Small-Scale, Multi-Unit Housing Provincial Policy Manual and Site Standards Guide](#) to support the implementation of Bill 44. The Policy Manual identifies factors local governments must consider when updating their zoning bylaws to incorporate the SSMUH requirements and sets Provincial expectations for compliance. Recommended zoning regulations are included in the guide for parcels based on property size and number of units allowed and address the following parameters:

- front lot line setback;
- rear lot line setback;
- side lot line setbacks;
- maximum height;
- maximum number of storeys;
- maximum lot coverage; and
- off-street parking requirements.

As noted, the manual provides guidance only and it is not mandatory that a local government follow exactly what the guide suggests. However, the guide makes clear that a local government cannot impose regulations in its Zoning Bylaw, or through any other development application approval tools, in such a way that unreasonably prohibits or restricts the use or density of use required to be permitted under SSMUH legislation.

Exemptions

The Bill 44 SSMUH legislation does establish several conditions under which certain parcels that would otherwise meet the Provincial lot size and locational criteria are exempt from the requirement to amend zoning to permit three to six units:

- land that is protected under s.12.1(2) of the *Heritage Conservation Act*;
- land that is, on the date the SSMUH legislation came into force, designated as protected under a bylaw made under *LGA*, s. 611 [*heritage designation protection*];
- lands subject to a heritage revitalization agreement, as defined in *LGA*, section 586, entered into before December 7, 2023;
- land that is not connected to a water or sewer system (parcels must be connected to both) provided as a service by a municipality or regional district;
- land that is within a zone in respect of which the minimum lot size that may be created by subdivision is 4,050m<sup>2</sup>;
- a parcel of land that is larger than 4,050m<sup>2</sup>; and
- within a designated Transit-Oriented Area.

Bill 47 Transit-Oriented Areas

The intent of Bill 47 is to enable mixed-use, complete communities around transit stations and bus exchanges while also addressing multiple provincial challenges, such as the housing crisis, climate change, and how to be economically sustainable with investments in infrastructure. In addition to the legislation, the Province released the [Provincial Policy Manual: Transit-Oriented Areas](#) to support the implementation of Bill 47. By June 30, 2024, Bill 47 requires the City to use longitude and latitude coordinates provided in [Order in Council 674/2023](#) to designate by bylaw and a map that shows the land captured within 200m, 400m, and 800m of a rapid transit station, such as SkyTrain stations, and within 200m and 400m of major bus exchange/West Coast Express stations as Transit-Oriented Areas (“TOAs”). Within these TOAs, Bill 47 prescribes the Minimum Allowable Density Framework (“MD Framework”) for minimum allowable height, measured in storeys, and densities, measured in floor area ratio (FAR), within prescribed distances in a tier system. Local governments must comply with the newly established density requirements as identified in the MD Framework.

Tier Level	Prescribed Distance	Minimum Allowable Density (FAR)	Minimum Allowable Height (Storeys)	Examples of building types
1	200m or less	Up to 5.0	Up to 20	Apartment Tower
2	201m to 400m	Up to 4.0	Up to 12	High-rise, Mid-rise
3	401m to 800m	Up to 3.0	Up to 8	Mid-rise

## Exemptions and Limitations

The MD Framework applies to any parcel of land within the TOA on which the current zoning permits residential land use. However, the following exemptions are available for the Port Moody context:

- land zoned to permit industrial use; or
- if the residential use is secondary or ancillary to the industrial use; or
- heritage designated objects or sites; or
- environmentally sensitive areas, including flood plains, hazard areas, and riparian areas; or
- if there are individual site constraints, such as if the site cannot physically accommodate all the available density or building height, cost considerations, or land assembly issues.

Within the TOAs, the City may not reject a rezoning proposal based on density or heights exceeding what is currently allowed in the zoning bylaw if the proposal is within the minimum allowable limits set in the MD Framework. However, if one of the following two statements applies, then the local government may reject the proposal:

- if the exemptions listed above apply; or
- if the proposal is not less than or equal to the prescribed minimum allowable density or height in the regulations.

There is no requirement to pro-actively zone to the prescribed heights and densities in TOAs. The MD Framework does not change the existing rezoning process for the City. Application fees, submission requirements, staff review for compliance with municipal regulations, staff reporting, bylaw introduction and readings, and final adoption are not affected by this legislation or the regulations. Only density and height requirements are imposed by the new framework.

Further, Bill 47 restricts local governments from requiring residential off-street parking except for parking for people living with accessibility needs, for commercial use and loading purposes, and for people to access amenity needs. Residential parking will now be provided based on market demand as determined by the developer and applies only to the TOAs. The City has provided updated residential and visitor parking requirements in Bylaw No. 3465 (TOAs) (**Attachment 4**) to reflect this change. The City's Bicycle Parking requirements and Electric Vehicle Charging Infrastructure requirements will still apply.

## Discussion

### SSMUH Zoning Bylaw Amendment

Bill 44 is driving substantial changes to planning processes, land use policies and zoning for Port Moody. Staff have undertaken technical analysis to identify options and determine the unit allotment per parcel consistent with the provincially mandated SSMUH housing unit entitlements. This work includes analysis of housing design and massing options, which has provided a basis for drafting the SSMUH Zoning Bylaw amendments.

As set out in **Attachment 2**, Bylaw No. 3460 has been prepared for Council’s consideration of first three readings and entails significant revisions to the existing single-family and duplex zones in the City’s Zoning Bylaw to enable three, four, and six-unit typologies to be built in Port Moody in accordance with the Province’s SSMUH directive. The SSMUH bylaw amendment process has included the following key steps:

- a GIS analysis of existing residential parcels;
- a site design and massing analysis of the three-, four-, and six-unit options; and
- drafting the recommended Zoning Bylaw amendments.

Staff have also reviewed how a number of other local governments are amending their zoning bylaws to accommodate SSMUH and have participated in several webinars hosted by the Province and others on the new housing legislation. While this has provided some clarity, it has also revealed that there are still questions around certain issues, such as infrastructure upgrades, how the parking recommendations will impact on-street parking, what is an appropriate percentage of permeable surfaces, how tree canopy targets will be met, and whether to implement form and character requirements through Development Permit areas. Additionally, there are other questions from local governments and developers that are posted on the province's FAQ page, seeking clarification on these and related issues.

Based on staff’s work to date, participation at the various SSMUH information webinars, and communication with other municipalities, it is anticipated that the amendments being recommended now to the City’s Zoning Bylaw to accommodate SSMUH by the Province’s June 30, 2024, deadline will likely require subsequent revisiting and refinements once it is better understood how well the current amendments are working as applications and enquiries are submitted and processed. Staff intend to inform Council on these trends and findings in future SSMUH monitoring and update reports.

SSMUH Mapping

Based on GIS and planning analysis, the SSMUH area Map 3 has been completed and is attached to this report (**Attachment 1**) and the accompanying Bylaw No. 3460 (**Attachment 2**).

The map shows all the lots to which SSMUH applies in Port Moody as well as the lots that are excluded from SSMUH, including:

- nine lots that are protected by heritage designation or Heritage Revitalization Agreement; and
- all lots within the TOAs.

The breakdown of lots to which SSMUH applies is as follows:

Number of Permitted Units	Number of Lots	Percentage of Lots
3 units	12	0.3%
4 units	3,709	87.5%
6 units	515	12.2%
<b>Total</b>	<b>4,236</b>	<b>100%</b>

The map serves to highlight several of the Port Moody specific challenges of the broad brush, inflexible approach taken by the Bill 44 legislation. Examples include:

- Lots where six units are permitted because they are within 400m of a prescribed bus stop, yet there is no direct pedestrian or vehicle access from the lots to the stop. A good example is on the west side of Port Moody in the Shoreline Circle and College Park area above the Barnet Highway (see Map 2). There are dozens of lots in the area designated for six units, yet there is no direct pedestrian access to the two prescribed bus stops. The lots may be within a 400m straight-line distance of the stops, but the reality is that some lots are several times or more that distance away in terms of walkability.
- Many blocks where the permitted number of units is split between four units and six units simply because one lot is in whole or in part within the 400m ring and is allowed six units and the lot right next is just outside the ring and four units applies (also shown on Map 2). Changing zoning regulations mid-block is not good planning and presents a number of urban design and servicing challenges. It also creates an inequitable situation for a number of the affected landowners. Staff anticipate receiving enquiries from owners questioning why some of their neighbours in the same block are entitled to six units and they are only entitled to four units.
- Along the same lines, there are blocks that are partially within the 400m ring where six units are permitted, and the rest of the block is within a TOA area where up to 20 storeys and an FAR of 5.0 are permitted under Bill 47 legislation. This again may result in confusion and neighbourhood planning uncertainty.

Staff will continue to elevate these challenges to the province. If or when there will be an opportunity to address these challenges is unknown at this time.

Portion of Map 2 – SSMUH Examples in the Shoreline Circle and College Park Areas



The referenced Bill 44 Policy Manual requires that local governments follow a prescribed number of steps in using GIS to identify affected parcels and that it be demonstrated to the Province that these steps have been followed. Port Moody GIS staff, working closely with the project team and other staff, have followed the required process undertaking each of the prescribed steps listed in the Manual's "Appendix C: Using GIS" to identify affected parcels. The result of that work is the well prepared and informative SSMUH Area Map attached to this report and to Bylaw No. 3460.

#### Key Amendments to Zoning Bylaw

Staff have drafted the necessary amendments to the Zoning Bylaw to accommodate SSMUH as directed by Bill 44 legislation for Council's consideration of bylaw readings. Amending Bylaw No. 3460 addresses eleven of the City's RS zones (i.e., the RS1 Single Detached Residential, RS1-S Single Detached Residential-Small Lot, RS2 North Shore Single-Detached Residential, RS3 North Shore Single Detached Residential, RS5 Heritage Woods Small Lot Single Detached Residential, RS6 Heritage Woods Single Detached Residential, RS7 Heritage Woods Estate Residential, RS8 Heritage Woods Large Lot Estate Residential, and RS9 Single and Semi-Detached Residential zones) and the RT Semi-Detached Residential, or duplex, zone. The Bylaw does not include the Mobile Home Park Residential (RS4) zone since it no longer applies to any lots in Port Moody.

At this time, certain CD and A1 zoned (Acreage Reserve) lots are not included in the SSMUH Zoning Bylaw update as there is a lack of clarity about these particular CD zones and uncertainty about the inclusion of these A1 zoned lots versus the 4,050m<sup>2</sup> (1ac) minimum SSMUH zoning lot size exemption. The eight specific CD zones, which have a total of 209 lots that are the equivalent of RS and RT zoning, lack detailed regulatory information and require further analysis by staff. The analysis includes re-establishing all the regulations for these eight CD zones. Once this step is completed, the SSMUH regulations can be added to each of the subject zones as applicable in the same way as it is being applied to the RS and RT zones covered in the attached amending Bylaw.

Given current time constraints and the work required to further analyze a number of the subject CD zones, they are, as noted, being excluded from the attached amending Bylaw. Staff anticipate returning to Council later in the year with a subsequent amending Bylaw that brings these CD zones into SSMUH compliance.

As also noted previously, there are ten A1 zoned lots that are less than 4,046m<sup>2</sup> (1ac) in size yet are in the A1 zone with its 8.0ha (20ac) minimum parcel size; this anomaly will be discussed with the Province and legally reviewed as to the SSMUH applicability to these properties and will be addressed with the above CD zones amendment after the June 30, 2024, deadline.

The 209 CD and 10 A1 zoned lots account for only 6.9% of the total of 4,455 lots intended to be included in the SSMUH designation. Their temporary exclusion from having SSMUH regulations applied is viewed by staff as a minor matter that does not take away from the City meeting the spirit and intent of implementing Bill 44 legislation by June 30, 2024.



## RS and RT Zones

For all 11 of the subject RS and RT zones, the approach for incorporating the SSMUH provisions has been the same. The current zoning remains intact, with no changes to currently permitted uses, secondary uses, or other uses for those property owners who are not seeking to add dwelling units under SSMUH. They have the same zoning rights in the amending Bylaw as they do now (which also avoids creating possible non-conformities). This means that lots in these zones can still have a principal residential unit and potentially a secondary suite (i.e., two units). If and when a landowner elects to add more units to their lot, then they will follow the SSMUH regulations.

To help illustrate this proposed approach to amending the Zoning Bylaw, the RS1 zone, which is the dominant RS zone in Port Moody, can serve as an example. For comparison purposes, the key differences for a landowner in electing to move from “traditional RS1” to RS1 with SSMUH include:

- A reduced number of permitted secondary uses. Staff note that in other multi-residential zones in the Zoning Bylaw, the permitted secondary uses are similarly limited. The rationale is that many of the secondary uses that can reasonably be accommodated now in an RS or RT zone would be challenging in terms of parking demands, traffic impacts, and general livability with additional units on a lot under SSMUH. Staff considered adding childcare as a permitted secondary use under SSMUH but are recommending against doing so at this point for the above noted reasons. The vast majority of RS and RT lots are unlikely to transition to SSMUH in the foreseeable future, leaving sufficient opportunity for childcare to continue to be accommodated in residential areas. The impact of SSMUH on childcare will be monitored by staff over time and if its exclusion as a secondary use under SSMUH becomes a concern, it will be revisited and reported to Council with recommendations for how it might be addressed.
- Increased FAR on a lot as the unit density increases to a maximum of 1.0 FAR for lots that are permitted five or six units. A 1.0 FAR for five or six units provides a better size for family units. For example, on a 60' x 130' lot with six units, an FAR of 0.9 would create 1,170ft<sup>2</sup> units, while an FAR of 1.0 would create 1,300ft<sup>2</sup> units, which allow for more functional three-bedroom units, especially if these units have multiple floors.
- Only a slight increase in the maximum permitted building height that ensures that three storeys can be accommodated in all cases.
- A relatively modest increase in the maximum permitted lot coverage, from 40% under conventional RS1 zoning, to 45% with up to four units and up to 50% with five or six units. This lot coverage is slightly higher than lot coverage approved in some of the more recent attached multi-family (townhouse) developments in Port Moody. However, given the limited lot sizes for SSMUH, lot coverage of 45% to 50% will allow for a more functional building form while balancing open space on lots.
- In terms of setbacks, the Side Lot Line Setbacks and Minimum Setbacks Between Buildings are similar to the existing RS1 Zone. However, to reasonably accommodate the SSMUH increased housing unit density, the Front-Line Setback has been reduced (6.0m to 4.6m) along with the Rear Lot Line Setback (7.5m to 4.0m).

For all of the subject RS and RT zones, the SSMUH requirements have been added to each zone to allow, depending on lot size and location, a maximum of three, four, or six units under a variety of housing typologies.

SSMUH Housing Typologies

Consistent with the direction of Bill 44, the SSMUH amending Bylaw has been drafted based on designs that will allow considerable flexibility in terms of building typologies. An architectural firm was engaged by the City to assist in developing and testing the viability of six SSMUH typologies that were selected to illustrate possible options: house, duplex, triplex, 4-plex, 5-plex, 6-plex. **Attachment 3** contains the six building typology examples that take into consideration factors such as:

- number and size of housing units;
- lot size and slope;
- lot access;
- *BC Building Code* regulations;
- maximizing the amount of open space (by building up rather than out, where possible) to provide outdoor amenity space and areas for landscaping and tree planting;
- parking layout options; and
- building setback and separation distances.

There may be other building typologies that also work, but staff believe that what is presented covers the majority of potential options. However, not all typologies will work in every situation, depending on lot shape, topography, lane access versus no lane access, and other factors. The range of typologies presented demonstrate that the proposed SSMUH zoning regulations can reasonably accommodate the maximum number of units allowed on a lot, which is a requirement of Bill 44, but not all building typologies will be achievable in all cases, which is that expected by Bill 44.

Many of the typologies will only work if the existing home on a lot is demolished or relocated. In the majority of cases, particularly where there are larger homes on a lot that have minimum side yard setbacks and other constraints, it will not be physically possible to achieve all the units (three, four, or six) permitted under SSMUH if the existing home remains. This is a market / economic choice by the landowner, not a zoning constraint.

While the six building typologies are intended to illustrate options for how representative lots may be developed under the SSMUH requirements, they also relate to housing unit types that are currently, or proposed to be, defined in the Zoning Bylaw as follows:

<u>SSMUH Building Typology</u>	<u>Zoning Bylaw Housing Unit Type</u>
House	Single Detached Residential, Additional Dwelling Unit (ADU)
Duplex	Semi-Detached Residential, Multi-Residential
Triplex	Townhouse, Multi-Residential, Apartment
4-plex	Townhouse, Multi-Residential, Apartment
5-plex	Townhouse, Multi-Residential, Apartment
6-plex	Townhouse, Multi-Residential, Apartment

It should be noted that the above SSMUH building typology approach does not include a “Detached Accessory Dwelling Unit” (DADU) as this unit type is now part of the new “Additional Dwelling Unit” (ADU) category and definition. As well and as noted in **Attachment 3**, the SSMUH typology does not specifically identify secondary suites in the illustration material. Any of the SSMUH housing types are permitted a secondary suite, subject to meeting all bylaw and *BC Building Code* requirements, but each secondary suite will be counted as a unit in the number of allowable units per lot.

Staff anticipate that the take-up of SSMUH, at least initially, will be slow in many parts of Port Moody. As more units are constructed under the SSMUH provisions over time, it is anticipated that a smaller number of the potential building typologies will emerge as the most dominant forms of development based on construction costs, ease of construction, building efficiencies, marketability, and other factors.

#### Development Permits

SSMUH is a form of multi-family housing and, like all other multi-family housing in Port Moody, staff believe that SSMUH should be subject to a form and character development permit. This will ensure that “cookie cutter” building designs do not proliferate (e.g., the “Vancouver Special” from 1965-1985) and that the City has some input to building design, materials, colours, and landscaping.

As with any form and character development permit guidelines, the guidelines for SSMUH cannot be used by a local government in a way that restricts the ability of a landowner to realize the maximum density and other rights granted through zoning. An example of particular relevance to Port Moody is tree protection. Where a rezoning is required, the City has the ability to work with a landowner to preserve trees in exchange for granting zoning through applying a CD zone and/or an agreement that ensures tree preservation. With SSMUH zoning in place, the Province has made clear as part of its guidance on Bill 44 that any attempt by a local government to protect trees on a lot as part of a development permit is not allowed if it results in a loss of development rights under zoning. Staff therefore expect that tree replanting, which a development permit can require, will be the most common approach to ensuring, over time, adequate tree canopy coverage. This is one of the reasons why the SSMUH regulations in the attached draft bylaw limit lot coverage to a maximum of 45% for the four unit lots and 50% for the five and six unit lots while allowing three-storey buildings in all cases (i.e., building up rather than out) in order to create areas for planting, pervious surfaces and outdoor amenity space while also recognizing the need for vehicle access and parking. In preparing the SSMUH Zoning Bylaw amendment package, the project team was very mindful of these competing needs for space at grade when unit densities on a lot are increasing. Site design guidelines for form and character development permits illustrating how these elements can be integrated into the various housing unit options are being prepared and will be brought forward in the next phase of the SSMUH implementation.

This work will then lead to revisiting the City’s current development permit area guidelines, which are enshrined in the OCP, and will need to be updated to accommodate SSMUH. As discussed further in this report, creating the development permit guidelines is a project that has

been added to the Community Development Department's work program for later in 2024 and into 2025.

Staff will be recommending as part of that process that Council delegate the issuance of SSMUH development permits to staff, with Council continuing to be responsible for the approval of major development permits.

It should also be noted that SSMUH developments will be subject to environmental protection Development Permit Areas (DPAs) established under *LGA* section 488(1)(a) provided they do not unreasonably restrict the ability to realize the use and density required under the SSMUH legislation.

The City's existing system of environmental and watercourse setback requirements, which are dealt with through Development Permit Area 4 (DPA 4): Environmentally Sensitive Areas, would also apply to SSMUH lots falling within those areas, though subject again to "unreasonable restriction" limitation. During the early stage of the SSMUH roll out, concern was expressed about the challenge of accommodating the higher housing unit entitlements on lots also subject to ESA setbacks. The response to this query at Provincial webinars was vague and inconclusive (aside from "consult with your City Solicitor") and it seems that local governments are at this time being left on their own to resolve this issue. On that basis, it appears that a site-specific approach seeking to balance SSMUH unit entitlements with environmental setback requirements through a flexible DP process will be necessary. Not unlike the City's current environmental DP system, variances to setbacks, building siting, and heights along with other factors would be considered and determined through the environmental DP process. Part of the next phase of the SSMUH implementation will involve a site planning/architectural analysis to identify and test options that both comply with Bill 44 and achieve needed ESA setbacks and protection measures.

Although Bill 44 does provide a SSMUH exemption for lands subject to verified hazardous conditions, it was determined that this exemption is not applicable as the City's Official Community Plan currently identifies areas that come under Development Permit Area 5 (DPA 5): Protection of Development from Hazardous Conditions. Future development of SSMUH lots within the identified DPA 5 would be subject to a hazardous conditions development permit (DP), just as construction projects in these areas are now.

#### Density Bonusing

Bill 44 gives a local government the option on lots for which the requirement of a minimum of six units applies to establish conditional density bonus rules for one of the six units. It was initially indicated by the Province that the density bonus would be in the form of the sixth unit being for affordable or special needs housing. The province subsequently indicated that a local government could require that the density bonus for the sixth unit be in the form of a cash contribution as long as it was for deposit to an affordable housing fund.

The amendments to the City's current density bonus program will be the subject of a separate project by staff, which the Province requires be completed by June 2025. Staff are proposing that the option for density bonusing for the SSMUH six-unit housing type be part of that project. At this point, staff anticipate proposing to Council a cash contribution (amount to be determined)

to the City's Affordable Housing Reserve Fund. The alternative would require creating a housing agreement bylaw (in essence a legal agreement) as part of the development / building permit application for each lot where an owner wishes to include the sixth unit. Each of these bylaws would require Council approval. While it can be done, it is a cumbersome process and also challenging for the city to ensure long-term compliance by multiple owners with the housing agreements, each for just one unit a lot, distributed throughout the city.

### Public Hearings

Sections of the *Local Government Act* dictating public hearings have also been changed by Bill 44. As mandated by the Province, the City must not hold a public hearing if a residential housing project rezoning is consistent with the OCP. There are, however, no changes to the public hearing process for the following situations:

- OCP amendments;
- rezoning applications that are not compliant with the OCP;
- non-residential rezoning applications, including mixed-use developments, and
- any rezoning applications that received first reading before December 7, 2023.

Development applications seeking a rezoning will still be required to receive three readings and adoption, but a public hearing will no longer be part of the process if one of the above listed situations does not apply. In this case, a notice of no public hearing is required. However, public hearings will continue to be required whenever the City updates or develops a new OCP or considers rezonings requiring an OCP amendment. Staff are analyzing the specific circumstances that prohibit a public hearing and the circumstances whereby it is at the discretion of the municipality to hold a public hearing. The findings of that review will be reported to Council and addressed through the upcoming amendment to the Development Approval Procedures Bylaw.

### Impact on Areas Designated for Future Multi-Residential Development

The SSMUH regulations apply to a number of RS and RT lots in areas that are designated in Port Moody's OCP for future medium density residential development in the form of townhouses and low-rise apartments, both of which fill important housing needs in the community. For most RS and RT landowners, historically the added land value in moving to medium density multi-family residential has been sufficient incentive to allow land assemblies by developers to occur. However, with SSMUH in place, staff are concerned that the incentive for landowners and developers will be diminished and that some of what is envisioned in the current OCP will not be realized because of the time, cost, and complexity of a developer moving through a property assembly and rezoning process versus simply meeting development and building permit requirements under current zoning on a lot-by-lot basis where SSMUH applies.

This topic will be considered by staff when work on the updated OCP resumes, as well as work on updating the City's density bonusing, and Development Cost Charges (DCCs) programs and transitioning the City Community Amenity Charges (CACs) program to the new Amenity Cost Charges (ACCs) program. Staff note that the same concern over the potential loss of some desired forms of multi-residential development has been raised in discussions with staff in several other municipalities. This is one of the possibly unintended consequences of Bill 44.

### SSMUH Implications and Local Government Response

Under Bill 44, if a local government does not comply with the SSMUH legislative requirements by June 30, 2024, it may be subject to a ministerial order that overrides that municipality's zoning bylaw and directly enables the minimum housing unit density permitted by this legislation. In these cases, the Minister will first give notice and provide an opportunity for the municipality to make the necessary amendments.

Mindful of that pending deadline and the Provincial Bill 44 directives, set out in this report are recommended amendments to the City's Zoning Bylaw for Council's consideration. However, as also noted, there are a number of challenges, concerns and shortcomings arising from the SSMUH legislation in terms of:

- it represents a broad-brush, high-level community planning approach where resulting land use and zoning boundaries can be illogical and confusing;
- a very tight timeline for bylaw adoption has been dictated, which leaves insufficient time for proper analysis and consultation, likely to cause oversights and inaccuracies necessitating further, future bylaw correction updates; and
- Bill 44 entailed a top down, non-consultative approach to a very significant community planning legislative change.

At the time of preparing this report, it appears that there are a range of responses from local governments with respect to implementing the Province's SSMUH directives by the June 30<sup>th</sup> deadline. The approach being recommended for Port Moody with Bylaw No. 3460 is based on general compliance with Bill 44, which despite the challenges summarized above, is felt to have some potential positive outcomes for the community by: increasing and broadening opportunities for ground oriented housing, increasing access and inclusion to housing across neighbourhoods in Port Moody, and advancing housing to meet the needs of a range of households compositions. Additionally, as the SSMUH entitlements apply to single detached and duplex zones across the community, a wider group of interested property owners and small project builders may choose to pursue a SSMUH type of development (e.g., similar to the interest in recent years with the RS1-S Single Detached Residential-Small Lot rezoning and subdivisions, but now without as much application process). While rapid, City-wide SSMUH redevelopment is not expected, gradual small-scale lot-by-lot construction may occur, leading to incremental changes in Port Moody's neighbourhoods where dwellings are older, which can add to and expand the range of the community's housing stock.

### SSMUH Zoning Bylaw Amendment Follow-Up

In accordance with Bill 44, at the conclusion of the Zoning Bylaw amendment process the City will need to notify the Minister of Housing in writing that the amendments necessary for compliance with the SSMUH requirements have been adopted, the location of any exempted land has been identified, along with noting the legislative provisions supporting those exemptions. A copy of the bylaw must be included in this notification to the Minister. In addition to the follow-up work discussed above regarding certain CD zones and A1 zoned lots less than 4,046m<sup>2</sup> (1ac) in size, several other questions and items for consideration have been raised through the SSMUH process, as summarized below:

- Are there options for managing the number of smaller units built on each lot and establishing minimum unit sizes?

- How many existing homes have fire suppression sprinkler systems?
- If there is ongoing interest in RS1 and RS1-S development in TOAs (e.g., the construction of an Additional Dwelling Unit (ADU) on an existing zoned lot), how to address this situation?
- Incentives for preserving trees on SSMUH development sites where feasible need to be explored.
- Design guidelines for maximizing SSMUH lot permeable surface area need to be developed.
- The SSMUH entitlements will enable more dwelling units to be constructed in essentially single-family residential neighbourhoods, which will impact municipal infrastructure and other civic facilities. For municipalities that have complied with Bill 44, will Provincial government funding be made available to help cover the capital infrastructure project costs necessary to support this growth?

While the intention of Bylaw No. 3460 is to bring forward recommended amendments to the Zoning Bylaw for Council’s consideration by June 30, 2024, to comply with Bill 44, it is acknowledged that a great deal of work has been done in a relatively short period of time and undoubtedly there will be gaps and oversights that will become clear in the coming months and will need to be addressed. Those necessary SSMUH related refinements and revisions, along with tackling the above listed questions and issues, will be incorporated into staff’s work program and reported back to Council on an ongoing basis.

#### Transit-Oriented Areas (TOAs)

Bylaw No. 3465 (TOAs) (**Attachment 4**) has been brought forward for Council’s consideration of first, second, and third readings. This Bylaw addresses the Province’s Bill 47 requirements of designating prescribed TOAs and incorporating revised parking standards by June 30, 2024. In line with Bill 47 regulations, Bylaw No. 3465 (TOAs) does not require a public hearing, and following three readings, will be returned to Council for consideration of adoption.

As mandated by Bill 47, the TOA radii for Inlet Centre Station and Moody Centre Station have been identified on Map 1 (**Attachment 5**). The intent of Bill 47 is to enable mixed-use, complete communities around transit stations and bus exchanges while also addressing multiple provincial challenges, such as the housing crisis, climate change, and how to be economically sustainable with investments in infrastructure. The coordinates used to generate this map was provided by the Province in Order in Council (OIC) 674/2023, are:

Station name	Longitude in Degrees	Latitude in Degrees
Inlet Centre Station	-122.828164	49.277293
Moody Centre Station	-122.845593	49.277954

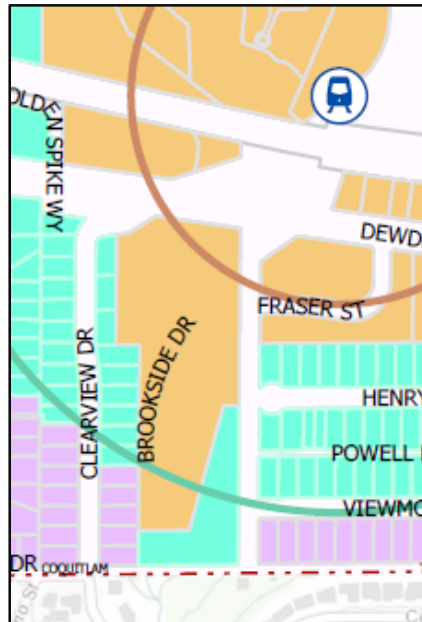
Following the Provincial direction, these coordinates were used to calculate the concentric circles of 200m, 400m, and 800m from the stations. These circles are the catchment areas for the minimum densities for the TOA. As identified by the Minimum Density Framework (MD Framework) below, Inlet Centre and Moody Centre Stations’ catchment areas will be subject to prescribed distances and will contain the following tiers:

Tier Level	Prescribed Distance	Minimum Allowable Density (FAR)	Minimum Allowable Height (Storeys)	Examples of Building Types	Map Colour
1	200m or less	Up to 5.0	Up to 20	Apartment Tower	Orange
2	201m to 400m	Up to 4.0	Up to 12	High-rise, mid-rise	Light Green
3	401m to 800m	Up to 3.0	Up to 8	Mid-rise	Purple

There are several features in this map that should be noted:

- For parcels that overlap more than one circle, the greatest height and density allotment is provided to the whole parcel. For example, as shown in Map 3 the parcel of Brookside Estates overlaps the 200m, 400m, and 800m circles, but the whole parcel is given the height and density minimums from the 200m circle.

Map 3: Brookside Estates TOA density crossing tiers



- At Moody Centre Station, there are two overlapping TOAs because Moody Centre is also where the West Coast Express stops. In this case, the higher density of the SkyTrain station is applied.
- Per the changes enacted by Bill 47 to the *Local Government Act*, the MD Framework applies to any parcel of land within the TOA on which the current zoning permits residential land use. However, local governments can exempt the following parcels:
  - land zoned to permit industrial use; or,
  - if the residential use is secondary or ancillary to the industrial use.

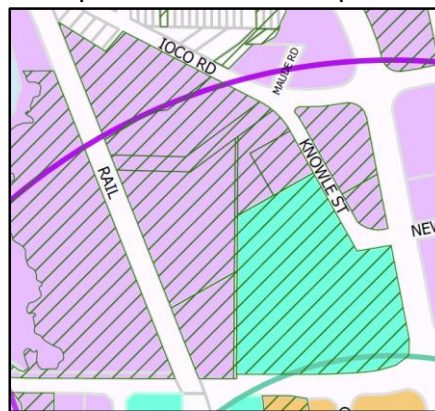
For Port Moody, parcels zoned Industrial, M1 and M2 zone designations in the City's Zoning Bylaw, are exempt from the Province's MD Framework. For this reason, parcels in the Moody Centre area, and along Murray St are exempt due to the current M1 designation even though the Official Community Plan designation includes some mixed employment areas. Hence, these parcels of land appear uncoloured despite being



within the TOAs. As part of the legislated update to the OCP by December 2025, staff are investigating if there is a way to signal the potential for mixed uses on these lands that does not limit or overshadow the primary industrial use. Staff will be reporting back on this topic later in 2024.

- The exception to the above bullet is the Suter Brook lands, which are zoned M2 but have a Land Use Contract that supersedes the zoning designation. A process is currently underway and nearing completion to replace the existing land use contract with conventional zoning.
- Properties zoned Institutional (P1 and P2 in the Zoning Bylaw), which include all City lands, parks, recreation centres, and other facilities, include a residential component as a permitted use. As such, these lands are required to be included in the map per Provincial regulations. To acknowledge which of these parcels are City lands, they are identified with the hashing over the base colour layer as shown in Map 4 Institutional Properties.

Map 4: Institutional Properties



### TOA Parking

Through Bill 47, the Province removed the authority for municipalities to regulate off-street residential parking in the TOA areas, allowing developers to establish parking rates based upon the market demand. In April 2024, the Province also announced new legislation (Bill 16) that grants local governments explicit authority to define and require Transportation Demand Management (TDM) measures for new developments. Proposed Bylaw No. 3465 is consistent with these legislative changes and specifically removes the parking regulations in TOAs and includes requirements for the provision of the TDM measures for new developments. Further changes to parking regulations outside of the TOA may be considered as part of the Master Transportation Plan Update.

As part of the current development application review process, Engineering requires the submission of a Traffic Impact Assessment (TIA) to identify the necessary transportation infrastructure improvements to support integration into the transportation network. Requests for parking reductions to the bylaw rates triggered the inclusion of TDM amenities that supported the use of alternative modes of transportation.

To address the requirement for TDM measures, staff are preparing an update to the Enhanced TIA guidelines. The update will establish a level of baseline TDM measures for all projects and a list of supporting TDM measures based on the scale of development and proposed land use.

The TDM measures will be consistent with the current TransLink guidelines and follow an approach similar to the District of North Vancouver and City of Vancouver. Inclusion of TDM measures aligns with the province's direction to transition away from parking regulations while complementing the Transportation Impact Assessment (TIA) process already in use by the City of Port Moody. The inclusion of TDM for all projects supports the sustainable transportation goals embedded in the Official Community Plan (OCP), Master Transportation Plan, and Climate Action Plan. The update to the TIA guidelines is currently underway and is scheduled to be completed prior to the provincial deadline. It should be noted that the City will still be able to require accessible parking spaces for people living with disabilities and for commercial uses to access services and amenities, as well as loading.

## Transportation and Infrastructure Requirements

### Servicing Considerations

Bill 44 and 47 provided very little consideration for impacts on the operation of existing City infrastructure systems, permitting exemptions for proven safety concerns, or extensions until 2030 for properties where the existing infrastructure does not provide the necessary capacity. Staff's initial analysis has not identified the need to request for exemptions or extensions, but as discussed below, as further analysis is completed, the City will affirm or meet with the Province as required. Municipal services that will be impacted include the water distribution system, sanitary and drainage system and the transportation network as discussed in the following sections.

As noted throughout this report, Port Moody has endeavored to meet the requirements of Bills 44 and 47, while also identifying solid concerns in that regard. City bylaws are being amended or created as per Provincial legislative directives to allow for additional housing, which will have significant impact on municipal infrastructure. To help address these issues, the Province is strongly encouraged to provide infrastructure project funding to help support this mandated community growth.

### Water Distribution System

The City maintains the water distribution system to ensure adequate water volume and pressure can be provided during two scenarios. The first is an instantaneous peak in the demand, for instance the intermission of a sporting event when a significant portion of the population is flushing toilets, running taps, and preparing food. The second is an emergency response during a day with the maximum water usage, for instance a structure fire on a hot Saturday afternoon when residents are washing cars and filling water balloons, etc.

It is anticipated that the provincial land use changes will not have an immediate effect on the overall water demand to the system and that this impact will be experienced over an extended period of time similar to the effects of community development over time based on the OCP. To adequately service the proposed land use changes arising from the SSMUH and TOA policy directions, the City will need to update the existing utility model to address the population growth and identify capacity upgrades. The capacity upgrades will then be incorporated into an updated DCC bylaw, which is scheduled for 2025.

In addition to the demand on the distribution system, each hydrant in the City has also been assessed carefully to ensure that it can deliver the fire flow necessary to combat structure fires based on the adjacent OCP land uses. With the provincial changes in density from a single dwelling unit to four- or six-dwelling units, the fire flow required at the hydrant will also need to increase. Without knowing which properties will adopt the provincial change, the City will need to ensure that all fire hydrants in SSMUH zones are now capable of delivering the increased fire flow.

The Engineering Department has had an initial fire flow study completed that identifies areas where infrastructure upgrades will be necessary to address the fire flow deficiencies. As development occurs it will be the responsibility of the applicant to address these concerns.

Where the deficiency can be addressed through localized upgrades the upfront capital cost will be borne by individual developments. A portion of the upfront construction cost may be recoverable from future developers that connect to the infrastructure through the “Excess or Extended Capacity” program identified within the *Local Government Act*. In areas where the deficiency cannot be improved, the proposed building will need to be modified to accommodate the available fire flow. This can be accomplished through incorporating automatic sprinklers, reducing the effective floor area and structural combustibility, limiting the type of occupancy uses and increasing setbacks from other combustible structures or landscaping.

#### Sanitary and Drainage System

Unlike the water distribution system which has both emergency and demand-based requirement impacts, upgrades to the sanitary and drainage systems are based on the incremental changes to the system that occur over time through development. The Master Plan for the sanitary system will be updated to reflect the projected population growth and similarly the Integrated Storm Water Management Plans for changes in pervious area. Infrastructure upgrades that are identified will then be incorporated into an updated DCC bylaw scheduled for 2025.

#### Transportation Network

As noted above the Master Transportation Plan goals are to increase the proportion of trips made by Port Moody residents via walking, cycling, and transit from 20 to 40 percent and reduce the average vehicle distance driven by 30 percent to 7 kilometres per day per person. The plan is currently being updated to include “Big Moves” to address these climate action goals and expediate the vehicle mode shift in advance of development and is anticipated to be completed by the end of 2024. The additional changes in density will need to be updated in the City’s transportation model and any additional upgrades required to support the growth will then be incorporated into an updated DCC bylaw scheduled for 2025.

#### SSMUH Parking

Increased population outside of the City’s designated Transit-Oriented Areas will increase the number and length of the daily trips taken by residents. This change will negatively impact the ability to achieve *TransPort Moody* plan’s two goals to increase walking, cycling and transit use and reduce the length of vehicle trips. The ongoing update to the plan will focus on this vehicle mode shift and the climate action oriented “Big Moves”.

Under Bill 44, a local government can establish parking standards on lots designated for three and four units, but not for lots designated for six units, where parking requirements cannot be imposed. However, the Province has made it clear that the standards for three- or four-unit lots cannot preclude the ability of a landowner to achieve the density and uses permitted under SSMUH.

For the SSMUH lots allowing three or four units, staff are proposing that the requirement be a minimum of 0.5 parking stall per unit with a maximum of 4 stalls per property when accessed from a collector, local road, or laneway and 2 stalls when accessed from an arterial or MRN roadway. The proposed parking rate is consistent with the ongoing form and character work, supports the City's drainage goals and provides opportunity to achieve the urban forest tree canopy targets.

Reducing the maximum number of stalls for arterial and MRN roads considers the impact to road safety by reducing the number of potential vehicle conflicts along these corridors. Arterial and MRN roads are also serviced by transit and the reduced parking rates will support environmental goals for mode shift away from single occupancy vehicles.

As more SSMUH development occurs, the already limited on-street parking in many parts of the City will face even more demand and a reasonable amount of on-site parking should be provided. Staff have proven out by examining the various proposed building typologies that this amount of parking can be accommodated on the subject lots, although how it is accommodated will vary.

Additional, minor changes to the bylaw that are required to support SSMUH zoning include limiting the width of driveways to ensure at least a 6m road frontage clear of the driveway. This will assist in making road frontage space available for on-street parking and limiting driveways to only a single access width.

If, through monitoring of the SSMUH zoning over time, it becomes evident that, at least in certain areas of the city or in certain circumstances, the maximum of four parking stalls per property is too high, it can be adjusted downward through a subsequent amendment to the Zoning Bylaw's parking standards. The necessary revised parking standards, are addressed in **Attachment 2**.

#### Next Steps

Following Council's consideration and feedback on this report, the next immediate steps related to the SSMUH Zoning Project are:

- June 25<sup>th</sup> – Council meeting for consideration of final reading and adoption.
- June 28<sup>th</sup> – Submission of completed Zoning Bylaw amendment package to the Province as required by Bills 44 and 47.

Other work related to the Provincial housing legislation and the next phase of the SSMUH implementation is currently underway and includes:

- Work will continue on the building typology examples illustrated in **Attachment 3** to prepare a “SSMUH Development Guidelines Manual” to assist the public in understanding the feasible opportunities under the SSMUH initiative and provide guidance to property owners and applicants wishing to pursue a SSMUH project. Anticipated to be completed by December 2024.
- Preparation of an OCP Bylaw update to roll in the SSMUH design guidance into the Development Permit Area 1, 2, and 3 form and character design guidelines.
- Given time constraints and the work required to further analyze a number of the subject CD and A1 zones these specific zoned areas have been excluded from the attached amending Bylaw. Staff anticipate returning to Council later in the year with a subsequent amending Bylaw that brings these CD zones into SSMUH compliance. Anticipated to be completed by December 2024.

As noted earlier in this report, the 209 CD and 10 A1 zoned lots account for only 6.9% of the total of 4,455 lots intended to be included in the SSMUH designation. Their temporary exclusion from having SSMUH regulations applied is viewed by staff as a minor matter that does not take away from the City meeting the spirit and intent of implementing Bill 44 legislation by June 30, 2024.

- The City is required to complete a new Housing Needs Report before January 1, 2025, which staff have included in the 2024 departmental workplan. Following this, the City will then be required to complete another Housing Needs Report by December 31, 2028, and on or before December 31<sup>st</sup> in every fifth year after that date.
- The Province requires municipalities to align zoning bylaws with their Official Community Plans and Housing Needs Reports on a regular basis, including updating zoning bylaws to permit the use and density required to accommodate the total number of housing units needed over at least the next 20 years. The draft OCP, Port Moody 2050 process has been paused to take into consideration the work that needs to be completed related to Bills 44, 46, and 47. The first OCP update must be completed by December 31, 2025.
- Staff have begun the process to create an interim planning framework for the Moody Centre and Inlet Centre TOAs. Similar to the [Moody Centre Transit-Oriented Development \(TOD\) Guidance Framework for Official Community Plan Amendment and Rezoning Applications](#), the purpose of the framework will be to provide guidance for future OCP amendment and rezoning applications that will take advantage of the MD framework enacted through Bill 47. This framework will then be incorporated into the OCP update to be completed by December 31, 2025.
- Continuation of the dialogue with Fire-Rescue staff to address fire response concerns in SSMUH areas (e.g., housing units beyond 100m of a fire hydrant, ensuring clear, safe pathways for fire response to interior units on a lot, possible option for SSMUH housing unit fire sprinkler systems). Progress had been achieved previously in addressing these issues with regards to DADUs, and that work will need to resume and will likely lead to recommended amendments to the Building Bylaw.
- As noted earlier in this report, the full implementation of the SSMUH initiative along with the requirements stemming from Bill 46 (Development Financing) and Bill 47 (Transit-Oriented Areas) will call for updates and revisions to the City’s CAC, density bonus, and DCC programs and amendments to the Development Approval Procedures Bylaw, Fees Bylaw, Subdivision and Development Servicing Bylaw, Building Bylaw, and the Solid Waste Bylaw.

## Other Option(s)

This report is for information only; therefore, no other options are being provided.

## Financial Implications

The necessity of establishing a project team, including architectural consultants, to respond to the Province's SSMUH mandated requirements within a tight timeframe has generated expenses beyond the Department's 2024 budget. These SSMUH related expenses, along with other unbudgeted expenditures arising from the provincial housing legislation generated work, are being tracked and charged against the \$320,310 Local Government Housing Initiatives Funding program grant the City was awarded in December 2023. This funding is intended to support and supplement local government activities and projects to meet the new legislative requirements arising from Bills 44, 46, and 47. The Province also provided Local Government Housing Initiatives Funding Program Scope and Guidelines. The guidelines identify what projects are eligible for this funding and how to use, manage, and report on the fund.

In addition, as supported by Council on March 12, 2024, staff will be broadening the use of funds approved for the following existing Capital Projects: Missing Middle Housing Policy, Moody Centre South Neighbourhood Plan – Phase 1, Moody Centre Development Priorities and Density Standards, and Moody Centre Streetscape Standards. Some components of these projects will continue as originally envisioned but the overall scope may need to be adjusted to address priority neighbourhood planning needs identified as a result of the work associated with the Provincial housing bills.

Policy Planning and Finance staff have started the process to manage and report on the Housing Initiatives Fund. Annual reporting is required on a calendar year basis (i.e., January 1 to December 31) and the Province expects local governments to use this funding prior to December 31, 2025.

There are ongoing project discussions with the different departments which will determine the need for future spending. Initial uses for the \$320,310 have been identified as:

- Community Development: TOA design guidelines, SSMUH land use analysis, Zoning Bylaw amendments, site planning and architectural testing, and legal review;
- GIS: geospatial mapping for the TOA areas around Inlet Centre and Moody Centre Stations;
- Environment and Parks: assessment of park and trail needs, the impact of projected population growth on biodiversity, urban forestry, parkland needs and the impact to existing creeks and other environmentally sensitive areas;
- Engineering and Operations: ACC land economics analysis, as well as an assessment for future infrastructure and transportation needs; and
- Communications and Engagement: public communication activities.

As previously mentioned, the provincial legislation will affect the City's ability to collect CACs and Density Bonus in the manner it has historically done. By mid-2025, staff will need to adjust the policy to collect density bonus funds for those projects that exceed the respective 3, 4, and 5 FAR in the TOAs, while maintaining the 2.5 FAR threshold for the rest of the City. An ACC Bylaw will need to be created to collect funds for amenities from projects that will no longer need to go through a rezoning process (i.e., SSMUH typologies), and the DCC Bylaw will need to be updated to collect funds for the new infrastructure categories.

## Communications and Public Engagement Initiatives

Staff have developed a communications plan to provide residents with information on the new legislation, impacts to Port Moody, next steps, and links to provincial resources. A webpage has been developed containing much of this information and will continue to be updated as more information comes available. The URL for the page is: <https://www.portmoody.ca/en/business-and-development/provhousinglegislation.aspx>.

In addition to the webpage information source, and as noted above, a Provincial Housing Initiatives Zoning Information Session was held on June 5<sup>th</sup> at City Hall for the project team to provide information about the draft SSMUH and TOA Bylaws and to respond to questions.

Approximately 140 people attended the June 5<sup>th</sup> public info meeting, which began and ended with small group discussions and Q/A dialogues around display panels in the Galleria. The session also included team member presentations in the Inlet Theatre. Attendees to the public info session appeared to be composed of Port Moody residents interested in learning more about SSMUH and TOAs, landowners with current or proposed development applications for their properties in the SSMUH and TOA areas, or realtors and builders involved in the land development industry seeking information about these programs and Port Moody's proposed approach for responding to this Provincial legislation. The comments and questions received from the event participants will help inform the project team on where further information or clarification on the regulations is needed as staff move forward with the SSMUH and TOA initiatives.

Public hearings will continue to be required whenever local governments update or develop new OCPs. Thus, the provincially mandated OCP update by December 31, 2025, will include a public engagement process.

As part of the Zoning Bylaw update due June 30, 2024, the City must not hold a public hearing for zoning bylaw updates for the sole purpose of complying with the SSMUH legislation. Pursuant to LGA section 464(4), the City provided public notice that a public hearing for SSMUH legislation will not be held.

## Council Strategic Plan Goals

The recommendation in this report aligns with the following Council Strategic Plan Goal(s):

- Strategic Goal 3.1 – Create complete and connected communities through balanced growth.

## Attachment(s)

1. Map 3 – Small-Scale Multi-Unit Housing (SSMUH) Areas.
2. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 94, 2024, No. 3460 (SSMUH).
3. Examples of SSMUH Building Typologies.
4. Draft City of Port Moody Transit-Oriented Areas Designation Bylaw, 2024, No. 3465.
5. Map 1 – Transit-Oriented Areas – Bylaw No. 3465.

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## Report Approval Details

Document Title:	Provincial – Bill 44 Small-Scale, Multi-Unit Housing and Bill 47 Transit-Oriented Areas.docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Map 3 - Small-Scale Multi-Unit Housing (SSMUH) Areas.pdf</li><li>- Attachment 2 - Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 94, 2024, No. 3460 (SSMUH).pdf</li><li>- Attachment 3 - Examples of SSMUH Building Typologies.pdf</li><li>- Attachment 4 - Draft City of Port Moody Transit-Oriented Areas Designation Bylaw, 2024, No. 3465.pdf</li><li>- Attachment 5 - Map 1 - Transit-Oriented Areas - Bylaw No. 3465.pdf</li></ul>
Final Approval Date:	Jun 10, 2024

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

Tracey Takahashi, Deputy Corporate Officer - Jun 6, 2024

Mary De Paoli, Manager of Policy Planning - Jun 6, 2024

Kate Zanon, General Manager of Community Development - Jun 7, 2024

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