

Considered at February 11, 2020 Regular Council Meeting

235



City of Port Moody Report/Recommendation to Council

Date: January 24, 2020
Submitted by: Planning and Development Department – Policy Planning Division
Subject: Zoning Bylaw, No. 2937 – Secondary Suite Amendments

Purpose

To propose amendments to City of Port Moody Zoning Bylaw, 2018, No. 2937 to reflect recent changes to *BC Building Code* 2018 for Secondary Suites.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 30, 2020, No. 3232 (Secondary Suite Updates) be read a first time as recommended in the report dated January 24, 2020 from the Planning and Development Department – Policy Planning Division regarding Zoning Bylaw, No. 2937 – Secondary Suite Amendments.

THAT Bylaw No. 3232 be read a second time;

AND THAT Bylaw No. 3232 be referred to a Public Hearing.

Background

Secondary suites support affordable housing options by expanding the rental stock in a community. The *BC Building Code* historically limited the size of secondary suites and previously only permitted them in single detached homes. The Province of British Columbia has been working to remove barriers to create more affordable housing, including secondary suites. Recent changes to *BC Building Code* 2018 came into effect on December 12, 2019.

Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 30, 2020, No. 3232 (Secondary Suite Updates) proposes the following amendments to reflect the *BC Building Code* changes in the Zoning Bylaw:

- Delete the existing definition of Secondary Suite:
 - “SECONDARY SUITE” means one Additional Dwelling Unit that is located within and Accessory to a principal dwelling on the same Lot in accordance with the requirements of section 5.2.7 of this Bylaw;

Considered at February 11, 2020 Regular Council Meeting

236

and replace it with the following definition of Secondary Suite:

- “SECONDARY SUITE” means a self-contained dwelling unit located within a building, or portion of a building, completely separated from other parts of the building of only residential occupancy that contains only one other dwelling unit and common spaces and where both dwelling units constitute a single real estate entity.
- Delete the existing Section 5.2.7 – Secondary Suites:
 - Where permitted in this Bylaw, a Secondary Suite shall:
 - (a) not exceed 90.0 m² of floor space for the sole exclusive use of the Secondary Suite Occupant(s);
 - (b) not be permitted on a Lot with a Bed and Breakfast, Boarding use, Child Care, or Home Occupation – Type B;
 - (c) not be subdivided from the Building it is part of under the *Strata Property Act*;
 - (d) provide Off-Street Parking in accordance with Section 6.0 of this Bylaw;

and replace it with the following:

- Where permitted in this Bylaw, a Secondary Suite shall:
 - (a) not be permitted on a Lot with a Bed and Breakfast, Boarding use, Child Care, or Home Occupation – Type B;
 - (b) located within a building or a portion of a building where both dwelling units constitute a single real estate entity;
 - (c) provide Off-Street Parking in accordance with Section 6.0 of this Bylaw.
- Delete the existing Section 9.1.6 – Conditions of Use:
 - Remove (a): A Secondary Suite must include a firewall constructed in conformance with the *British Columbia Building Code* for the separation of buildings.

Rationale: These changes include a new definition of a Secondary Suite, the removal of the existing 968ft² cap on the size of secondary suites, and the removal of the requirement for a firewall for a secondary suite, which all correspond to the most recent *BC Building Code* changes. These changes effectively provide more flexibility to construct secondary suites in different types of housing.

Other Options

1. THAT staff be directed to report back on the following changes or clarifications ...
2. THAT the report dated January 18, 2020 from the Planning and Development Department – Policy Planning Division regarding Zoning Bylaw, No. 2937 – Secondary Suite Amendments be received for information.

Considered at February 11, 2020 Regular Council Meeting

237

Financial Implications

There are no financial implications associated with the proposed Secondary Suite amendments to Zoning Bylaw, No. 2937.

Should Bylaw No. 3232 proceed to a Public Hearing, there are costs associated with the legislatively required notifications. These costs would be covered within the existing Planning and Development budget allocated for this purpose.

Communications and Civic Engagement Initiatives

Should Bylaw No. 3232 proceed to a Public Hearing, notification will occur in accordance with notification requirements set out in the City's Development Approval Procedures Bylaw and the *Local Government Act*.

Council has the option to waive the Public Hearing if the changes are considered to be consistent with the Official Community Plan. In this case, notification to waive a Public Hearing would be required, but a Public Hearing would not need to be held.

Council Strategic Plan Objectives

Maintaining the effectiveness of the City's Zoning Bylaw through the proposed Secondary Suite amendments is consistent with the Community Evolution priority of the 2019-2022 Council Strategic Plan.

Attachment

1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 30, 2020, No. 3232 (Secondary Suite Updates).

Report Author

Jess Daniels
Policy Planner

Considered at February 11, 2020 Regular Council Meeting

238

Report Approval Details

Document Title:	Zoning Bylaw No. 2937 – Secondary Suite Amendment.docx
Attachments:	- Attachment 1 - Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 30, 2020, No. 3232.pdf
Final Approval Date:	Feb 4, 2020

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

Tracey Takahashi for Dorothy Shermer, Corporate Officer - Feb 1, 2020 - 6:55 PM

Rosemary Lodge, Manager of Communications and Engagement - Feb 3, 2020 - 11:06 AM

Paul Rockwood, General Manager of Finance and Technology - Feb 4, 2020 - 11:04 AM

André Boel, General Manager of Planning and Development - Feb 4, 2020 - 11:39 AM

Tim Savoie, City Manager - Feb 4, 2020 - 1:05 PM

Considered at February 11, 2020 Regular Council Meeting

239



City of Port Moody

Bylaw No. 3232

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to ensure consistency with the BC Building Code regarding secondary suites.

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

1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 30, 2020, No. 3232 (Secondary Suite Updates)”.

2. Amendments

- 2.1 City of Port Moody Zoning Bylaw, 2018, No. 2937 is amended by replacing the following definition of “SECONDARY SUITE”:

““SECONDARY SUITE” means one Additional Dwelling Unit that is located within and Accessory to a principal dwelling on the same Lot in accordance with the requirements of section 5.2.7 of this Bylaw.”

with the following:

““SECONDARY SUITE” means a self-contained dwelling unit located within a building or portion of a building completely separated from other parts of the building:

- of only residential occupancy that contains only one other dwelling unit and common spaces; and
- where both dwelling units constitute a single real estate entity.”

- 2.2 Bylaw No. 2937 is further amended by replacing the following section 5.2.7 – Secondary Suites:

“Where permitted in this Bylaw, a Secondary Suite shall:

- (a) not exceed 90.0m² of floor space for the sole exclusive use of the Secondary Suite Occupant(s);
- (b) not be permitted on a Lot with a Bed and Breakfast, Boarding use, Child Care, or Home Occupation – Type B;
- (c) not be subdivided from the Building it is part of under the *Strata Property Act*;
- (d) provide Off-Street Parking in accordance with Section 6.0 of this Bylaw.”

Considered at February 11, 2020 Regular Council Meeting

240

with the following:

“Where permitted in this Bylaw, a Secondary Suite shall:

- (a) not be permitted on a Lot with a Bed and Breakfast, Boarding use, Child Care, or Home Occupation – Type B;
- (b) located within a building or a portion of a building where both dwelling units constitute a single real estate entity;
- (c) provide Off-Street Parking in accordance with Section 6.0 of this Bylaw.”

- 2.3 Bylaw No. 2937 is further amended by deleting the following section 9.1.6 in its entirety:

“9.1.6 Conditions of Use

- (a) A Secondary Suite must include a firewall constructed in conformance with the *British Columbia Building Code* for the separation of Buildings.”.

3. Severability

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

Read a first time this ___ day of ____, 2020.

Read a second time this ___ day of ____, 2020.

Read a third time this ___ day of ____, 2020.

Adopted this ___ day of ____, 2020.

R. Vagramov
Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3232 of the City of Port Moody.

D. Shermer
Corporate Officer