



City of Port Moody

Report/Recommendation to Council

Date: December 2, 2020
Submitted by: Community Development Department – Development Planning Division
Subject: OCP Amendment and Rezoning Application – 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church)

Purpose

To present for Council consideration OCP Amendment Bylaw No. 3286, Zoning Amendment Bylaw No. 3287, and Development Variance Permit 3090-20-143.

Recommended Resolution(s)

THAT the requirement to refer the Official Community Plan amendment and rezoning applications (6700-20-207) to the Land Use Committee be waived as recommended in the report dated December 2, 2020 from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning Application – 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church);

AND THAT City of Port Moody Official Community Plan Bylaw, 2014, No. 2955, Amendment Bylaw No. 28, 2021, No. 3286 (Lot 1 NW15859 First Avenue) and City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 47, 2021, No. 3287 (Lot 1 NW15859 First Avenue) (P2) be read a first and second time;

AND THAT Bylaw No. 3286 and Bylaw No. 3287 be referred to a Public Hearing;

AND THAT staff be authorized to enter into an Encroachment Agreement with the Inlet United Church Congregation;

AND THAT the encroachment fees be waived pursuant to the Encroachment Policy as the site is of significant heritage importance.

Background

The Inlet United Church Congregation owns both the church site at 1790 Ioco Road and the undeveloped lot to the south, otherwise referred to in this report as Lot 1, First Avenue. The church would like to sell the southern lot to raise funds for improvements to the protected heritage building, but the existing property line between the two parcels currently crosses a portion of the existing building on the south side. As such, the Inlet United Church is proposing

to relocate the lot line through a lot line adjustment. Although this is not a proposal for new development, the lot line adjustment triggers the need for a number of development approvals.

The lot line adjustment is considered to be a subdivision application under the City's bylaws. Moreover, in order to create conformity between the new lot line with the OCP land use designations and appropriate zone, administrative updates to the OCP and Zoning Bylaws are required, as set out in draft Bylaw No. 3286 (**Attachment 1**) and draft Bylaw No. 3287 (**Attachment 2**). In addition to the OCP amendment and rezoning components, the applicant is also requesting a variance to defer the requirements of the Subdivision and Development Servicing Bylaw, as set out in the draft Development Variance Permit 3090-20-143 (**Attachment 3**). Consideration of the variance request will be brought forward to Council at a later date should the OCP and zoning amendment bylaws be given third reading. An application fact sheet which summarizes the key components of the project is included as **Attachment 4**.

Under the City's Development Approval Procedures Bylaw, No. 2918, an OCP amendment and rezoning application would be presented at a Land Use Committee (LUC) meeting. Given the administrative nature of the application, staff recommend that this requirement be waived.

Discussion

Property Description

The development site consists of two properties, 1790 loco Road and Lot 1, First Avenue, both located at the southeast corner of loco Road and First Avenue (**Attachment 5**). Additional details including information on the heritage building and the neighbourhood context is included in the application fact sheet (**Attachment 4**).

Official Community Plan and Zoning

Land use designation and zoning maps are attached as **Attachments 6** and **7**.

- 1790 loco Road is currently designated Public and Institutional within the OCP and zoned Private Institutional (P2) Zone.
- Lot 1 First Avenue is designated Single Family Low Density and is zoned Single and Semi-Detached Residential (RS9) Zone.

Development Proposal Review

A small portion of the church building on the 1790 loco lot extends onto Lot 1 First Avenue. The Inlet United Church would like to move the common property line 4.5m towards the south so the building is wholly within the property lines with adequate setbacks; however, since the church is designated for Institutional uses and the existing vacant lot is designated for residential uses, the lot line adjustment needs to be reflected in the OCP land use designations and zoning of both properties.

The proposed subdivision and existing site plan is shown in **Attachment 8**, and a description of each development approval needed for the proposed change is listed below.

OCP Amendment

The OCP amendment would amend the northern portion of Lot 1, First Avenue's OCP designation from Single Family Low Density to Public and Institutional.

Rezoning

The rezoning would rezone the northern portion of Lot 1, First Avenue from RS9 to P2.

Variances

Given that the lot line adjustment is considered a subdivision under the City's bylaws, requirements for infrastructure improvements adjacent to both lots would apply. Without any imminent new development occurring, the requirement for servicing is premature. A variance is requested to the Subdivision and Development Servicing Bylaw requirement for these required infrastructure and frontage improvements.

If approved, the variance would allow registration of the lot line adjustment prior to completing any of the necessary works. To ensure future construction of the works if and when Lot 1 First Avenue develops, the applicant has committed to placing a no-build covenant on the title of the undeveloped lot until the works are complete. It is anticipated that the purchaser of the vacant lot will be required to complete the servicing and a select number of frontage upgrades prior to obtaining a building permit. Staff recognize the administrative nature of this application and have worked with the applicant to ensure that the works have been reduced from the normal level of servicing required for a subdivision.

Another variance is requested to reduce the side yard setback (from loco Road) of the church property from 3.0m (9.8ft) to 0m as the front staircase of the church building encroaches onto the loco Road right-of-way. The siting of the church building is currently considered legal non-conforming, but approval of this variance would legitimize the 0m setback.

Encroachment Agreement

An encroachment agreement with the City would also be necessary for a portion of the staircase fronting loco Road, as well as a portion of a children's play area off First Avenue for the daycare located within the church. Both of these features have portions that are currently on City property. Typically, each encroachment agreement is charged a one-time administration fee as well as an annual fee. The City's Encroachment Policy allows for consideration of a fee exemption if the encroachment directly relates to a Heritage Designation Area or is of significant heritage importance. Given that the church site is located in the loco Townsite Heritage Conservation Area and the building is a protected heritage building, staff recommend waiving the fees related to the encroachment agreements.

Subdivision

A lot line adjustment is required to move the shared lot line between 1790 loco Road and Lot 1, First Avenue southwards so that the church building is wholly within the property with adequate setbacks. Approval of the bylaws and variance requests as noted above would allow the Approving Officer to consider the new modified lot line, without requiring infrastructure improvements as part of this change.

Other Option(s)

1. THAT the OCP amendment and rezoning applications, as presented in the report dated December 2, 2020, from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning Application – 1790 loco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church) be revised.
2. THAT the OCP amendment and rezoning applications, as presented in the report dated December 2, 2020, from the Community Development Department – Development Planning Division regarding OCP Amendment and Rezoning Application – 1790 loco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church) be denied.

Financial Implications

An exemption to the encroachment fees in 2021 would total approximately \$780. This includes \$650 for the one-time administrative fee, and approximately \$130 per annum, based on the area of the encroachment.

Communications and Civic Engagement Initiatives

A notification sign informing the public of the rezoning application has been placed on the subject site in accordance with the City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918.

Should the rezoning application be given first and second readings, the public will have an opportunity to comment at the 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 notification sign.

Council Strategic Plan Objectives

The proposal is consistent with the goals of Council's 2019-2022 Strategic Plan related to Community Evolution by supporting creative ways to enable diverse housing forms and heritage revitalization.

Attachment(s)

1. Draft Official Community Plan Amendment Bylaw No. 3286.
2. Draft Zoning Amendment Bylaw No. 3287.
3. Draft Development Variance Permit 3090-20-143.
4. Application Fact Sheet.
5. Location Map.
6. OCP Map.
7. Zoning Map.
8. Proposed Subdivision and Site Plan.

Report Author

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Development Planner

Report Approval Details

Document Title:	OCP-Rezoning (Institutional-Residential) - 1790 Ioco Road and Lot 1 First Avenue (Colliers on behalf of Inlet United Church).docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft Official Community Plan Amendment Bylaw No. 3286.pdf- Attachment 2 - Draft Zoning Amendment Bylaw No. 3287.pdf- Attachment 3 - Draft Development Variance Permit 3090-20-143.pdf- Attachment 4 - Application Fact Sheet.pdf- Attachment 5 - Location Map.pdf- Attachment 6 - Land Use Designations Map.pdf- Attachment 7 - Zoning Map.pdf- Attachment 8 - Proposed Subdivision Plan.PDF
Final Approval Date:	Dec 21, 2020

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

André Boel, City Planner - Dec 14, 2020 - 1:32 PM

Kate Zanon, General Manager of Community Planning - Dec 15, 2020 - 9:02 AM

Jeff Moi, General Manager of Engineering and Operations - Dec 17, 2020 - 9:13 AM

Dorothy Shermer, Corporate Officer - Dec 17, 2020 - 4:54 PM

Rosemary Lodge, Manager of Communications and Engagement - Dec 17, 2020 - 5:43 PM

Paul Rockwood, General Manager of Finance and Technology - Dec 18, 2020 - 1:23 PM

Tim Savoie, City Manager - Dec 21, 2020 - 9:03 AM