

REPORT | REQUEST FOR COUNCIL DECISION

DATE: December 5, 2017 **FILE:** 6410-01/16
FROM: Community Services Department
SUBJECT: Public Hearing for Zoning Bylaw Amendment Bylaw No. 2782, 2017 Regarding Changes to Infill Housing Regulations

RECOMMENDATION: THAT Council:

- A. Receive the report dated December 5, 2017 from the Director of Community Services regarding Public Hearing for Zoning Bylaw Amendment Bylaw No. 2782, 2017 Regarding Changes to Infill Housing Regulations for information; AND
- B. Direct staff to revise Zoning Bylaw Amendment Bylaw No. 2782, 2017 as directed by Council and bring those revisions back to Council for Third Reading; OR
- C. Other.

CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:



BACKGROUND

KEY ISSUE(S)/CONCEPT(S): At the November 21, 2017 Regular Meeting, Council considered Zoning Bylaw Amendment Bylaw No. 2782, 2017 to change some of the regulations around infill housing. Council amended the Bylaw as proposed to further limit construction of duplexes in the community by:

- prohibiting duplexes in the RS (Large Lot Residential) Zone
- in the R-1 (Medium Lot Residential) Zone, limiting duplexes to corner and through (double-fronting) lots only with minimum: area of 660 m²; width of 20 m; and depth of 30 m

Staff have prepared the draft language to implement these changes (see Attachment A). Additional language has also been added to include clarity for grandfathering of existing lawful duplexes in the R-1 zone that are not located on corner or through lots as follows:

The *City* recognizes that there are *duplexes* in lawful existence that are not on *corner* or *through* *lots* on the date of adoption of Bylaw No. 2782, 2017 and that these *duplexes* are granted legal non-conforming status and may continue to be used as *duplex* in the event of damage or destruction.

The intention of this additional policy is to ensure that, should a mid-block duplex be destroyed by fire, flood or other hazard, the two property owners (of each duplex unit) may rebuild without going through a rezoning or Board of Variance application. This grandfathering right is further confirmed by the Local Government Act in Division 14 Non-conforming Use and Other Continuances.

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Since 2011 when the City's current zoning bylaw was adopted, nine duplexes have been constructed. In that same time period, ninety-two single family dwellings have been constructed, meaning that duplexes have accounted for less than 10% of the new construction in low density residential neighbourhoods. There are currently twelve in-stream duplex applications; of those, two are corner lots and are not affected by the proposed changes but the remaining ten are mid-block duplexes. Half of these applications have been submitted in the past week in light of the proposed bylaw amendments.

Staff further refined the initial map presented to Council showing the resulting lots that would qualify for duplex construction under the proposed amendments (see Attachment B). While still only an estimate based on the City's mapping information, the number of duplex lots that would qualify after the proposed bylaw changes are adopted would drop from approximately 960 to 148. Again, it is highly unlikely that every single lot with duplex potential will redevelop by constructing a duplex.

Staff would like to reiterate that the potential duplex changes have not part of any public consultation. Through the upcoming OCP review, the community will have ample opportunity to be fully engaged in discussions around growth, housing options and forms, density etc. As of the writing of this report, staff have heard concerns from seven members of the community about the proposed bylaw changes to infill regulations.

RELEVANT POLICY: Official Community Plan Bylaw No. 2352, 2007; Zoning Bylaw No. 2505, 2011

STRATEGIC ALIGNMENT: Community Livability

DESIRED OUTCOME: Amendments to the Zoning Bylaw to restrict duplex construction in Pitt Meadows, along with changes to other infill housing regulations as previously directed by Council.

RESPONSE OPTIONS:

- 1) Receive the report dated December 5, 2017 from the Director of Community Services regarding Public Hearing for Zoning Bylaw Amendment Bylaw No. 2782, 2017 Regarding Changes to Infill Housing Regulations for information; AND
- 2) Direct staff to revise Zoning Bylaw Amendment Bylaw No. 2782, 2017 as directed by Council and bring those revisions back to Council for Third Reading; OR
- 3) Other.

For Response Option 2, Council may wish to reconsider the bylaw based on their choices of individual elements of the proposed bylaw as follows:

Zoning Bylaw Amendment Bylaw No. 2782, 2017

	Proposed R-1 Changes	Yes	No
A	<ul style="list-style-type: none">• Increase maximum lot width for subdivision to 13.5 m		
B	<ul style="list-style-type: none">• Eliminate duplexes except for corner and through lots with minimum size & dimensions		
C	<ul style="list-style-type: none">• Decrease maximum height from 2 ½ storeys to 2 storeys		
D	<ul style="list-style-type: none">• Prohibit 2nd storey deck encroachments into rear setback		
E	<ul style="list-style-type: none">• Exemption for homes constructed prior to Sept. 13, 2013 to the 2nd storey floor area being limited to 80% of the 1st storey		
F	<ul style="list-style-type: none">• Grandfathering clause for existing lawful duplexes		

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	Proposed R-2 Changes		
G	• Increase front setback to 5.5 m		
H	• Increase side setback to 1.5 m		
	Proposed RS Changes		
I	• Eliminate duplex as a principal use		
	Proposed Other Changes		
J	• Removal of pre-zoned panhandle lots		
K	• Secondary suite parking space to be provided so as not to impede access to single family dwelling unit parking		
L	• Maximum impervious surface limit of 70% in residential zones		

Several of the proposed changes address issues of the placement and form of an infill dwelling, such as parking for secondary suites, height, and setbacks. Two of the proposed changes address density (e.g. the number of lots that have subdivision and duplex potential).

Proposed amendments to the R-1 Zone that would increase the minimum lot width will impact approximately 14 properties. These properties will no longer meet the minimum width requirements for subdivision. Proposed changes to the R-1 and RS zone will eliminate duplexes from all mid-block properties, therefore only allowing duplexes on corner or double-fronting lots. This will impact approximately 812 properties that would not be eligible to construct a duplex. As a result approximately 148 properties would remain eligible for duplex development.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Will be implemented as part of the regular work plan.

FINANCIAL: Decreasing the number of lots with development potential will also decrease potential future tax base.

IMPLEMENTATION/COMMUNICATION: Zoning Bylaw will be updated on the City's website.

KATZIE FIRST NATION CONSIDERATIONS: None identified.

OTHER: If being redeveloped, it is likely that lots that could have had a duplex constructed on them will now have a large single family dwelling with or without secondary suite constructed on them instead. A large number of lots will lose development potential.

Prepared by: A. Dominelli, Development Services Technician

Reviewed by: L. Grant, Manager of Community Development

Submitted by: K. Zanon, Director of Community Services

Approved by: M. Roberts, CAO

ATTACHMENT(S):

A. Zoning Bylaw Amendment Bylaw No. 2782, 2017

B. Parcels with Duplex Potential Now & Under Zoning Bylaw Amendment Bylaw No. 2782, 2017

**CITY OF PITT MEADOWS
ZONING BYLAW AMENDMENT BYLAW NO. 2782, 2017**

A Bylaw to amend sections of Zoning Bylaw No. 2505, 2011.

WHEREAS, it is deemed expedient to amend City of Pitt Meadows Zoning Bylaw No. 2505, 2011;

NOW THEREFORE, the Council of the City of Pitt Meadows in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the **"City of Pitt Meadows Zoning Bylaw Amendment Bylaw No. 2782, 2017"**.

2. Part 2 – Interpretation, Section 2.3 General Definitions is amended as follows:

The definition of Gross Floor Area is deleted and replaced with the following:

GROSS FLOOR AREA means the total area of all floors enclosed by the outer surface of the exterior walls of all *buildings* on a lot including stairways, elevator shafts, storage rooms, and mechanical rooms but excluding garages in *apartments* and *townhouses*, *porches*, *balconies*, *basement* and areas having a floor-to-ceiling *height* of less than 1.8 m.

The following definition is added:

IMPERVIOUS SURFACE means any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to roofs, parking and driveway areas, graveled areas, asphalt, cement or any other hard surface or swimming pools.

3. Part 4 – General Development Regulations is amended as follows:

Section 4.4 Projections into Yards in Single Family and Duplex Zones, is amended by removing the following underlined words:

The following projections shall be permitted in *residential* zones and site-specific zones that permit *single-family dwellings*, except the R-2 and CD zones unless otherwise specifically permitted:

Subsection d), i. is amended by adding the following underlined words:

- i. Up to 1.5 m into the front, rear, and exterior *side yards*, except in the R-1 and R-2 zones where a second storey deck or balcony may not project into the rear yard;

Section 4.18 Panhandle Lots is deleted in its entirety, and subsequent sections are renumbered accordingly.

4. Part 5 – Specific Use Regulations is amended as follows:

In Section 5.4 Secondary Suites, Subsection b), vi. is deleted and replaced with the following:

- vi. One additional on-site *parking space* must be provided for the exclusive use of the occupants of the *secondary suite*, and the required on-site *parking space* for the *secondary suite* shall not impede access to the primary residential use parking.

5. Part 6 – Landscaping and Screening is amended by inserting the following section:

6.7 Impervious Surface

The maximum permitted *impervious surface* allowance in the RS, R-1, R-2 and RD *residential* zones is 70% of the lot area.

6. Part 10 – Residential, Section 10.1 RS Large Lot Residential is amended as follows:

In Subsection 10.1.2 Permitted Uses, *duplex* is removed from the list of Principal Uses.

In Subsection 10.1.6 Conditions of Use, Subsection b) is deleted.

7. Part 10 – Residential, Section 10.2 R-1 Medium Lot Residential is amended as follows:

In Subsection 10.2.3 Permitted Density, Subsection d) is deleted and replaced with the following:

- d) The *gross floor area* of the second *storey* does not exceed 80% of the *gross floor area* of the first *storey* (including all attached and detached garages and *carports*). Notwithstanding, existing *principal buildings* constructed prior to September 13, 2013 are exempt from this requirement except for proposed major additions which increase the *gross floor area* by 50% or more;

In Subsection 10.2.4 Site Requirements, Subsection a), ii. is deleted and replaced with the following:

- ii. Minimum *lot width* shall be 13.5 m, except in the case of a *corner lot* the minimum *lot width* shall be 15 m.

In Subsection 10.2.4 Site Requirements, Subsection b), iv. is inserted as follows:

- iv. Only permitted on a *corner* or *through lot*.

In Subsection 10.2.5 Dimensions of Buildings and Structures, Subsection c) is deleted and replaced with the following:

- c) The *height* of a *principal building* shall not exceed:
 - i. 2 *storeys* and 9.0 m for a *building* with a roof slope of 1:4 or more; or
 - ii. 2 *storeys* and 7.4 m for a *building* with a roof slope less than 1:4.

Subsection 10.2.7 Conditions of Use is deleted and replaced with the following:

10.2.7 Conditions of Use

- a) For a *duplex*, a *carport* or garage for at least one *vehicle* shall be provided for each *dwelling unit*.
- b) The *City* recognizes that there are *duplexes* in lawful existence that are not on *corner* or *through lots* on the date of adoption of Bylaw No. 2782, 2017 and that these *duplexes* are granted legal non-conforming status and may continue to be used as *duplex* in the event of damage or destruction.

- 8. Part 10 – Residential, Section 10.3 R-2 Small Lot Residential is amended as follows:

In Subsection 10.3.3 Permitted Density, Subsection d) is deleted and replaced with the following:

- d) The *gross floor area* of the second *storey* does not exceed 80% of the *gross floor area* of the first *storey* (including all attached and detached garages and *carports*). Notwithstanding, existing *principal buildings* constructed prior to September 13, 2013 are exempt from this requirement except for proposed major additions which increase the *gross floor area* by 50% or more;

In Subsection 10.3.5 Dimensions of Buildings and Structures, Subsection c) is deleted and replaced with the following:

- c) The *height* of a *principal building* shall not exceed:
 - i. 2 *storeys* and 9.0 m for a *building* with a roof slope of 1:4 or more; or

- ii. 2 storeys and 7.4 m for a *building* with a roof slope less than 1:4.

In Subsection 10.3.6 Siting, Subsection a), i. and ii. are deleted and replaced with the following:

- i. 5.5 m from a *front lot line*
- ii. 1.5 m from an *interior lot line*

READ a FIRST and SECOND time the 21st day of November, 2017.

PUBLIC HEARING the day of , .

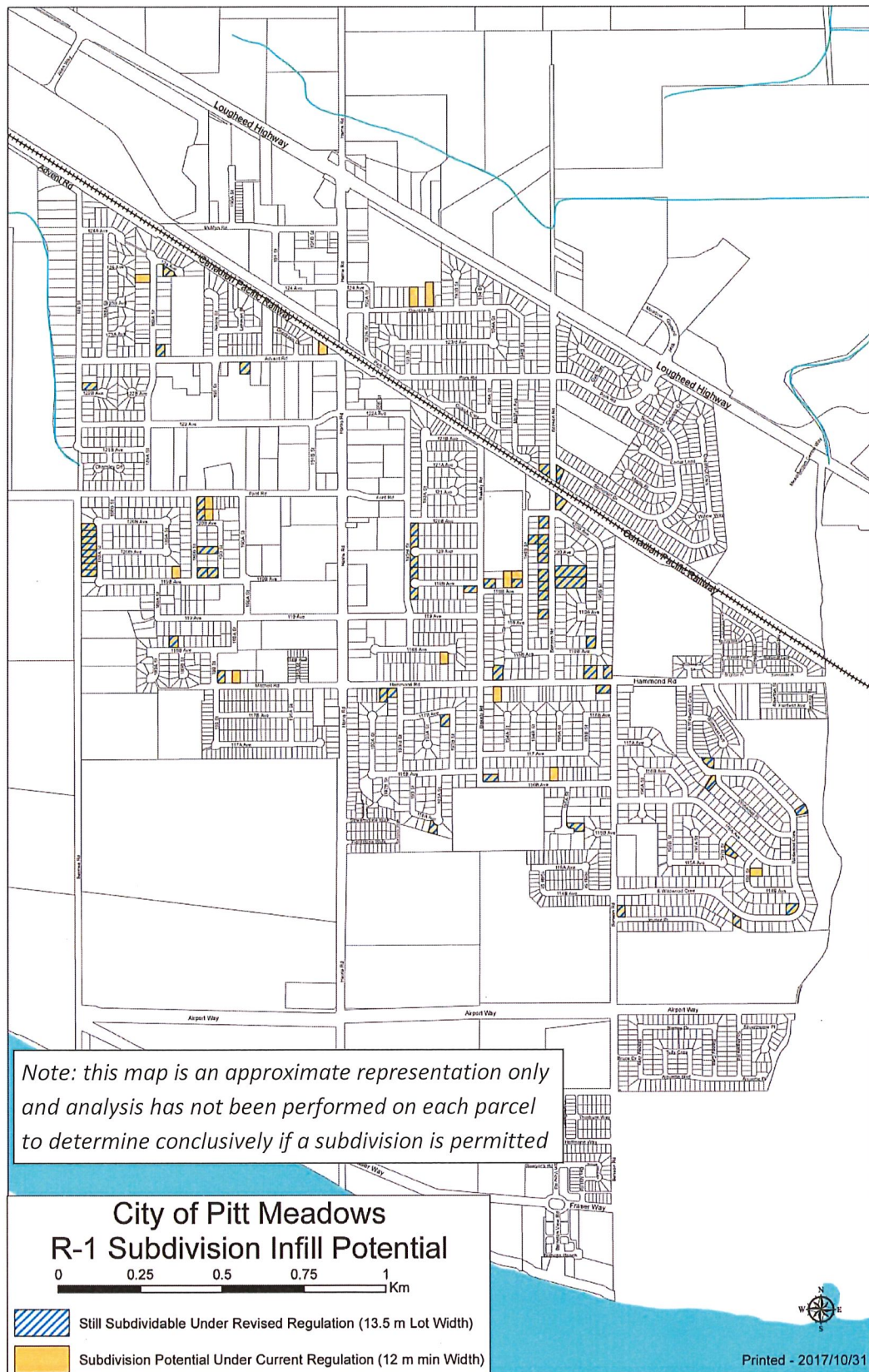
READ a THIRD time the day of , .

ADOPTED the day of , .

Mayor, John Becker

Corporate Officer, Tina Penney

ATTACHMENT B-1: PARCELS WITH SUBDIVISION POTENTIAL NOW & UNDER PROPOSED AMENDMENTS



ATTACHMENT B-2: Parcels with Duplex Potential Now & Under Zoning Bylaw Amendment No. 2782, 2017

