

## ***Council Regular Agenda***

Council Chambers, 3<sup>rd</sup> Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

**Tuesday, June 11, 2019**

Time: 6:00 p.m.

**REVISED**

**1. CALL TO ORDER**

**2. ADOPTION OF THE AGENDA**

**2.1 Adoption of the Agenda**

Recommendation:

*That the June 11, 2019, Regular Council Meeting Agenda be adopted with the following changes:*

- *Addition of item 4.2 Legion Week – June 24 - 30, 2019*

**3. CONFIRMATION OF MINUTES**

**3.1 Minutes of Council Meetings**

Recommendation:

*That the minutes of the following Council Meetings be adopted:*

- *May 28, 2019, Regular Council Meeting.*

**4. PROCLAMATIONS**

**4.1 Amateur Radio Week – June 17 - 23, 2019**

**4.2 Legion Week – June 24 – 30, 2019**

**5. BYLAWS**

**5.1 Zoning Amendment Bylaw No. 4131 for 2645 Kingsway Avenue - First Two Readings**

Recommendation:

*That Council give Zoning Amendment Bylaw No. 4131 first two readings.*

**5.2 Zoning Amendment Bylaw No. 4132 for Floor Area Ratio Exemptions - First Two Readings**

Recommendation:

*That Council give Zoning Amendment Bylaw No. 4132 for Floor Area Ratio Exemptions first two readings.*

**5.3 Parking & Development Management Amendment Bylaw No. 4129 for Cash- in- Lieu - First Three Readings**

Recommendation:

*That Council give Parking & Development Management Amendment Bylaw No. 4129 for Cash-in-Lieu first three readings.*

**5.4 Parking & Development Management Amendment Bylaw No. 4135 for Accessible Parking - First Three Readings**

Recommendation:

*That Council give Parking & Development Management Amendment Bylaw No. 4135 for Accessible Parking first three readings.*

**6. NEW BUSINESS**

**7. OPEN QUESTION PERIOD**

**8. ADJOURNMENT**

**8.1 Adjournment of the Meeting**

Recommendation:

*That the June 11, 2019, Regular Council Meeting be adjourned.*

## ***Council Regular Minutes***

Council Chambers, 3<sup>rd</sup> Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC  
Tuesday, May 28, 2019

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**Present:**

Chair – Acting Mayor Darling  
Councillor Dupont  
Councillor McCurrach  
Councillor Penner  
Councillor Pollock  
Councillor Washington

**Absent:**

Mayor West

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**1. CALL TO ORDER**

The meeting was called to order at 6:03 p.m.

**2. ADOPTION OF THE AGENDA**

**2.1 Adoption of the Agenda**

Moved - Seconded:

*That the May 28, 2019, Regular Council Meeting Agenda be adopted as circulated.*

Carried

**3. CONFIRMATION OF MINUTES**

**3.1 Minutes of Council Meetings**

Moved - Seconded:

*That the minutes of the following Council Meetings be adopted:*

- *May 7, 2019, Special Council Meeting;*
- *May 14, 2019, Regular Council Meeting.*

Carried

**4. PROCLAMATIONS**

**4.1 June – Bike Month**

Acting Mayor Darling proclaimed June 2019 as Bike Month and presented the proclamation to Kathryn Berry from the Tri-Cities HUB.

**5. DELEGATIONS**

**5.1 Love My City Week – July 6–13, 2019**

Dave Jonsson provided an overview of the events for Love My City Week in Port Coquitlam.

**6. BYLAWS**

**6.1 Zoning Amendment Bylaw No. 4125 for 3346 Finley Street - Third Reading**

Moved - Seconded:

*That Council give Zoning Amendment Bylaw No. 4125 for 3346 Finley Street third reading.*

Carried

**6.2 Rezoning Amendment Bylaw No. 4113 for 2332 Marpole Avenue - Adoption**

Moved - Seconded:

*That Council adopt Zoning Amendment Bylaw No. 4113 for 2332 Marpole Avenue.*

Carried

**7. NEW BUSINESS**

7.1 Council provided updates related to community events.

**8. OPEN QUESTION PERIOD**

No public comments.

**9. ADJOURNMENT**

**9.1 Adjournment of the Meeting**

Moved - Seconded:

*That the May 28, 2019, Regular Council Meeting be adjourned at 6:28 p.m.*

Carried

Certified Correct,

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Mayor

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Corporate Officer

# PROCLAMATION

**WHEREAS** EPCo plans to hold a Field Day exercise at Castle Park on June 22-23, 2019. The Field Day exercise is intended to allow amateur radio operators to practice communication skills under primitive conditions; and

**WHEREAS** To train residents of Port Coquitlam in emergency amateur radio communications, and to facilitate obtaining amateur radio licenses by all members of EPCo; and

**WHEREAS** To operate, maintain, and make available communication networks and repeaters to members of the EPCo group for training purposes and so they may assist designated official agencies of Port Coquitlam in communications when requested.

**NOW THEREFORE:** I, Brad West, Mayor of the Corporation of the City of Port Coquitlam,

**DO HEREBY PROCLAIM**

**JUNE 17<sup>th</sup> TO JUNE 23<sup>rd</sup>, 2019, AS**

**“AMATEUR RADIO WEEK”**

**in the City of Port Coquitlam.**

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Brad West  
Mayor



## Zoning Amendment Bylaw No. 4131 for 2645 Kingsway Avenue - First Two Readings

### RECOMMENDATION:

*That Council give Zoning Amendment Bylaw No. 4131 for 2645 Kingsway Avenue first two readings.*

### REPORT SUMMARY

At the May 28, 2019, Committee of Council meeting, Committee recommended to Council:


That the Zoning Bylaw be amended to allow for embalming services at 2645 Kingsway Avenue; and,

That prior to adoption of the amending bylaw, the following condition be met to the satisfaction of the Director of Development Services:

- submission of a security for fencing, invasive species removal and planting within the protected watercourse setback area.

### OPTIONS

(Check = Staff Recommendation)

| #  | Description   |
|--|---|
| 1<br> | Give first two readings to the bylaw.   |
| 2  | Delay first two readings and request staff to provide additional information. |
| 3  | Deny first two readings of the bylaw.   |

CITY OF PORT COQUITLAM  
ZONING AMENDMENT BYLAW, 2019

Bylaw No. 4131

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The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw may be cited as "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2019, No. 4131".

2. ADMINISTRATION

- 2.1 That "Zoning Bylaw, 2008, No. 3630" be amended in Table 4.3: Industrial Zones Permitted Uses, by adding the following new accessory use in alphabetical order:

| Use                          | Zone                |    |    |
|------------------------------|---------------------|----|----|
|                              | M1                  | M2 | M3 |
| Accessory embalming services | <b>S</b><br>Note 24 |    |    |

Note 24. An embalming service use accessory to a storage use is permitted at 2645 Kingsway Avenue.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019

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Mayor

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Corporate Officer

## Rezoning Application RZ000170 – 2645 Kingsway Avenue

### RECOMMENDATIONS:

That Committee of Council recommend to Council that:

1. The Zoning Bylaw be amended to allow for embalming services at 2645 Kingsway Avenue; and,
2. Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
  - a. completion of design and submission of fees and securities for the specified off-site works and services; and,
  - b. submission of a security for fencing, invasive species removal and planting within the protected watercourse setback area.

### PREVIOUS COUNCIL/COMMITTEE ACTION

None.

### REPORT SUMMARY

This report recommends that a site-specific Zoning Bylaw amendment be approved to permit embalming services in a vacant industrial building located on the north side of Kingsway Avenue. The owner is in the process of altering the building for its use as a morgue, which is a permitted use, and wishes to include the embalming service use. An assessment of the onsite circulation, parking and other potential impacts of this proposal indicates it is unlikely to have any significant impacts at this location as it would occupy a stand-alone building and be located within an area where there is a mix of light industrial and highway uses. The rezoning provides Council with an opportunity to obtain improvements to the Maple Creek riparian area which flows through the front of the property. It also recommends to Council that off-site works and services required to comply with the regulations of the subdivision servicing bylaw be modified to ensure these works would not impact the watercourse.

### BACKGROUND

Burquitlam Funeral Home is in the process of acquiring an industrial property at 2645 Kingsway Avenue and renovating the existing building for the purposes of establishing a morgue. The applicant also wishes to provide embalming services but the industrial zoning does not permit an embalming service use.

|   |  |  |  |
|---|--|--|--|
|  | Site Zoning: M1<br>General Industrial.<br><br>Context of District<br>Commercial<br>(highway) and<br>neighbourhood<br>commercial uses |  | Notes: <ul style="list-style-type: none"><li>• Parking is located on CP Rail lands to the north</li><li>• Maple Creek flows through the front of the site.</li></ul> |
|---|--|--|--|

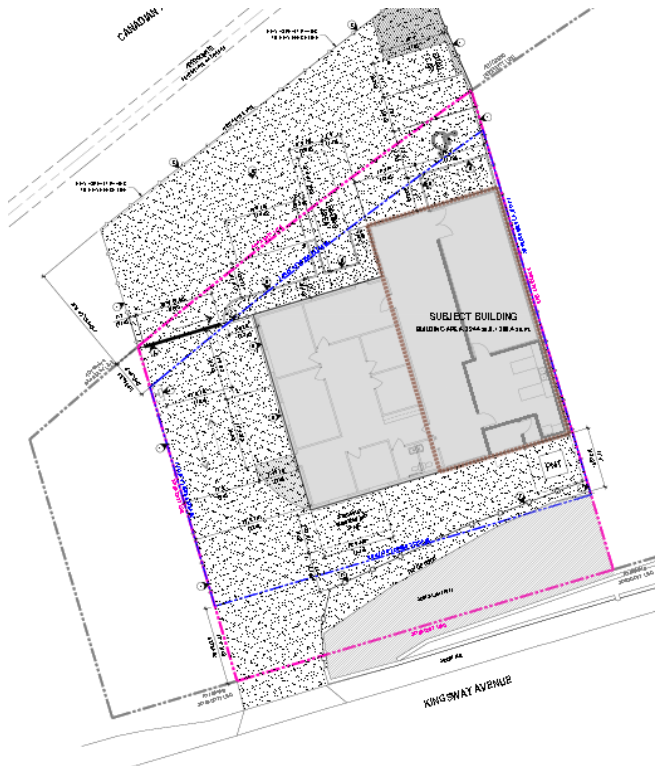


## Rezoning Application RZ000170 – 2645 Kingsway Avenue

A building permit has been approved to permit modifications to the interior of the building for the permitted storage use. The design indicates that all loading and unloading activity will be at the rear of the building, away from public viewing.

The property owner has obtained an agreement from CP Rail that permits use of the CP Rail property for parking and storage purposes, and a chain link fence has been installed around the leased area. The proposed plan indicates that, with this agreement in place, the development would comply with parking regulations. The applicant is proposing to include one electric vehicle parking space at the front of the building.

In the front yard, a new fence is proposed at the top of the creek bank to enhance protection of the watercourse setback area. In addition, removal of invasive species and replanting with native species within the watercourse setback area is proposed. The proposal is in general accordance with the recommendations of the draft Maple Creek Integrated Watershed Management Plan to stabilize banks and create a small riparian buffer zone along this portion of the creek.



### **DISCUSSION**

The embalming use would expand the scope of services offered by Burquitlam Funeral Home. Staff support allowing for this use on a site specific basis, rather than amending the General Industrial zone to permit embalming services as a permitted use, to ensure that Council would be in a position to address any issues associated with this service. For this proposal, the inclusion of the use as part of a morgue and its location a stand-alone industrial building support the change.

The proposal provides the City with an opportunity to better protect a portion of the Maple Creek watercourse which flows through the front of the property. A review of the draft Maple Creek Integrated Management Plan indicated that this portion of the watercourse would benefit from removal of invasive species and replanting with native species, and limiting intrusions into the riparian area by locating a fence at the top of the bank. Providing for these modest improvements is recommended as a condition to be met by the applicant prior to adoption of the rezoning.

The rezoning application also provides the City with an opportunity to obtain upgrades to the works and services along a property's frontage. In accordance with established practice, staff normally recommend that applicants be required to meet the standards of the Subdivision Servicing Bylaw

## Rezoning Application RZ000170 – 2645 Kingsway Avenue

along the property's frontage as a condition of rezoning approval. It is proposed that the works to be required as a condition of rezoning be limited to improving Kingsway Avenue (½ road plus one metre) and replacing a sidewalk letdown that is not associated with a driveway. It is not recommended that the sidewalk be widened to meet bylaw standards or that the site be required to provide for underground services, as these works would significantly impact the watercourse.

In summary, the proposed rezoning would be in keeping with the policies and land use designations of the Official Community Plan and the design of the loading activity for an embalming service use at the rear of the building addresses potential neighbourhood concerns. Approval is recommended.


### **FINANCIAL IMPLICATIONS**

None.

### **PUBLIC CONSULTATION**

A rezoning sign is posted on the property. To date, staff have not received any comments.

### **OPTIONS**

|   | Description  |
|---|--|
| 1  | Recommend to Council that the City's Zoning Bylaw be amended to allow for embalming services at 2645 Kingsway Avenue and that limited off-site improvements and provision to improve Maple Creek be required as a condition of approval prior to adoption. |
| 2   | Request additional information or amendments to the application to address specified issues prior to making a decision on the application  |
| 3   | Recommend to Council that the rezoning application be refused.   |

### **ATTACHMENT**

Attachment #1: Location Map

Attachment #2: Submission Letter

CITY OF PORT COQUITLAM  
REZONING APPLICATION LOCATION

PROJECT ADDRESS: 2645 Kingsway Avenue

FILE NO: RZ000170







# APLIN MARTIN

ENGINEERING ARCHITECTURE PLANNING SURVEYING

September 18, 2018

Our File No. 18-2021

City of Port Coquitlam  
200-2564 Shaughnessy St.  
Port Coquitlam, BC V3C 3G4

**Attention:** Graeme Muir

Dear Sir,

**Re:** Letter of Intent for Zoning Text Amendment for the property at 2645 Kingsway Avenue, Port Coquitlam, BC

CITY OF PORT COQUITLAM  
RECEIVED - PLANNING

SEP 26 2018

FILE: \_\_\_\_\_

Aplin Martin is pleased to submit the enclosed development application to amend the General Industrial (M-1) Zone to allow for embalming services amendment at the above-noted property.

## Ownership and Operation

Burquitlam Funeral Home is a family-owned, full-service funeral home company that has served families of the tri-cities area for over fifty years. The Company is led by a team of professionals that work with their clients to provide a high standard of professionalism and care.

Burquitlam Funeral Home is in the process of acquiring 2645 Kingsway Avenue to establish a morgue from that location. Burquitlam Funeral Home is seeking a text amendment to the land-uses permitted in the M-1 Zone, so they may offer embalming services, which are not permitted within the current zone.

The proposed morgue will operate from Monday to Friday from 9:00 am to 5:00 pm. 10 staff are present during working hours: eight in the office and two working as prep staff. Remains can be brought in at any time of the day, seven days a week via coroner or retirement home service by pre-arranging access or by contacting the on-call staff.

The existing building can accommodate between 60-80 stored remains and approximately eight remains arrive per day and typically an equal number depart the facility. There will be no memorial, funeral or gatherings occurring at this location. Operations are functionally similar to warehousing operations permitted in the M-1 Zone.

## Site Details and Zoning

The subject site is 989 m<sup>2</sup> and fronts Kingsway Avenue in the Davies Industrial Area. The site has neighbours on two sides, Kingswood Builders Group Ltd. to the West and 4<sup>th</sup> Utility Inc. to the East. and backs onto a rail line. The subject site is flat in slope and minimally treed. Maple Creek, a Class A watercourse, flows along the site's frontage.

A Tenant Improvement application has been made to modify the interior of the existing 1-storey warehouse building. The existing building envelope is not proposed to be altered in any way.

Lot parameters are as follows:

#### M1 Zone Comparison

|                       | M1 Zone (Minimums)   | Existing Conditions |
|-----------------------|----------------------|---------------------|
| Lot Area              | 1,200 m <sup>2</sup> | 989 m <sup>2</sup>  |
| Lot Width             | 15 m                 | 30 m                |
| Lot Frontage          | 9 m                  | 30 m                |
| Lot Depth             | 30 m                 | 33 m                |
| Front Setback         | 6 m                  | 10.98 m             |
| Interior Side Setback | 0 m                  | 0.28 m / 9.16 m     |
| Rear Setback          | 3 m                  | 3.68 m              |
| Impervious Surface    | 80%                  | 88% (approx.)       |

The existing lot area is less than allowed within the M-1 Zone. Currently, the impervious surface looks to exceed the allowable 80% coverage. These items will be reviewed with Staff through the application process.

#### Compliance with Port Coquitlam OCP

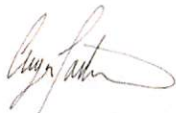
The proposed zoning amendment complies with Port Coquitlam OCP policies. Burquitlam Funeral Home provides an essential service to the residents of Port Coquitlam. When a loved one passes away there are many emotions and stresses on family, friends and community. The intention of this facility is to combine multiple funeral services in order to make this process logistically and financially feasible. The embalming services proposed are a vital part of many culture's funeral tradition and a facility where a loved one can be prepared, embalmed and stored with dignity is a huge relief to a grieving family.

Combining the preparation, embalming and storage of remains is common practice. Many beliefs and traditions prefer remains to be handled a little as possible, therefore moving from storage to embalment can put great strain on the grieving process. Additional transportation requirements would not only be felt on the roads, but the financial costs would be borne by the family. The efficiencies in funeral practices has beneficial ripple effects.

Thank you for reviewing the development application submission. We look forward to working with the City of Port Coquitlam on this application.

Sincerely,

APLIN & MARTIN CONSULTANTS LTD.



Anya Paskovic, MCIP, RPP  
Planner

AP:CC  
Enclosures  
2018-08-24 18-2021 Letter of Intent

## Zoning Amendment Bylaw No. 4132 for Floor Area Ratio Exemptions - First Two Readings

### RECOMMENDATION:

*That Council give Zoning Amendment Bylaw No. 4132 for Floor Area Ratio Exemptions first two readings.*


### PREVIOUS COUNCIL/COMMITTEE ACTION

At the May 28, 2019, Committee of Council meeting, Committee recommended to Council:

*That the Zoning Bylaw be amended to limit exempt floor area in a basement; restrict development below the flood construction level; and further regulate cooking, laundry and bathroom facilities in dwelling units.*

### OPTIONS

(Check = Staff Recommendation)

| #  | Description   |
|--|---|
| 1<br> | Give first two readings to the bylaw.   |
| 2  | Delay first two readings and request staff to provide additional information. |
| 3  | Deny first two readings of the bylaw.   |

CITY OF PORT COQUITLAM  
ZONING AMENDMENT BYLAW, 2019  
Bylaw No. 4132

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The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2019, No. 4132”.

2. ADMINISTRATION

2.1 Section I Definitions is amended as follows:

2.1.1 by adding the following new defined terms in alphabetical order:

**Crawl space** means the space between the floor slab on the ground surface and the underside of the joists of the floor next above having a floor to ceiling height of not more than 1.5 m.

**Kitchen facility** means a food preparation area including or intending to include a sink, refrigerator and an appliance for the cooking of food.

**Kitchen facility, ancillary** means a secondary food preparation area including or intended to include an appliance for the cooking of food which can only be accessed from a kitchen facility.

**Laundry facility** means an area including or intended to include appliances for cleaning or drying of textiles.

**Sanitary facility** means an area including or intended to include a sink, toilet and shower or bath within a room or connecting rooms.

2.1.2 in the definition for **Dwelling unit**, by replacing “cooking” with “kitchen”; and,

2.1.3 by deleting the defined term, **Kitchenette**.

2.2 Section II Zones and Zone Regulations is amended as follows:

2.2.1 In Table 1.4: Agricultural Zones Regulations, by adding the following Note 5 to the maximum floor area of a farm residence:

Note 5. In the calculation of floor area for a farm residence, the following may be excluded as floor area:

- a. Crawl space; and
- b. Unenclosed balconies and decks.

2.2.2 After the section, "SITING AND HEIGHT", by adding a new heading, "FARM RESIDENCES" and inserting the following:

- "5. A farm residence shall not include more than:
  - a. one kitchen;
  - b. one ancillary kitchen; and,
  - c. one laundry facility.
- 6. A secondary suite within a farm residence shall not include more than:
  - a. one kitchen;
  - b. one ancillary kitchen; and,
  - c. one laundry facility.
- 7. A basement shall not include more than one sanitary facility.
- 8. A crawl space shall not include any windows or external door openings."

2.2.3 By replacing Note 2 to Table 2.4: Residential Zones Regulations, with the following:

Note 2. In the calculation of floor area ratio in RS and RD and RRh zones the following may be excluded as floor area:

- a. 46 m<sup>2</sup> (495 sq.ft.) of floor area for a garage or carport, and, in the case of a property with a coach house, an additional 23m<sup>2</sup> of floor area for a garage or carport;
- b. Any floor area comprising a basement that is not below the flood construction level to a maximum floor area ratio of 0.15;
- c. Crawl space; and,
- d. Unenclosed balconies and decks.

2.2.4 In section 2.5, Additional Regulations, by inserting the following:

"DWELLING UNIT

- 12. A dwelling unit shall not include more than:
  - a. one kitchen;
  - b. one ancillary kitchen; and,
  - c. one laundry facility.



## BASEMENT & CRAWL SPACE

13. A basement shall not include more than one sanitary facility.
14. A crawl space shall not include any windows or external door openings.”

2.3 Section III Supplementary Regulations is amended as follows:

2.3.1 In Subsection 1 - Flood Plain, by adding the following new clause 1-3:

“1-3 A dwelling unit within the flood plain shall not include more than:

- a. one entry foyer with a maximum size of 10 m<sup>2</sup>;
- b. one laundry or mechanical room with a maximum size of 7 m<sup>2</sup> ;  
and,
- c. one garage with a maximum size of 46 m<sup>2</sup>  
located below the flood construction level.

2.3.2 In section 15, Coach Houses, by deleting subsection 15-7.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

# Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

## RECOMMENDATION:

That Committee of Council recommend to Council that the Zoning Bylaw be amended to limit exempt floor area in a basement; restrict development below the flood construction level; and further regulate cooking, laundry and bathroom facilities in dwelling units.

## PREVIOUS COUNCIL/COMMITTEE ACTION

March 26<sup>th</sup>, 2019 Council:

That Council direct staff to prepare a bylaw that would:

- Restrict exclusions for basements and areas below the floodplain in Floor Area Ratio calculations for single residential and duplex uses; and
- Limit the number and locations of kitchens, three-piece bathrooms and laundry facilities in single residential and duplex homes.

## REPORT SUMMARY

This report brings forward recommendations responding to Council's motion directing staff to bring forward bylaw amendments pursuant to s.463 of the *Local Government Act* to address immediate concerns related to new single residential and two-family (duplex) buildings. The following amendments to current zoning regulations are recommended:

- (1) that the current exclusion of any area within a basement from the floor area ratio calculation be amended to impose a maximum exemption of a 0.15. This amendment is intended to address concerns related to multiple suites within basements as well as the greater bulk of buildings resulting from home builders maximizing exempt square footage;
- (2) that permitted areas within a dwelling located within the flood plain and below the habitable floor elevation be restricted to address two major concerns:
  - a. areas below the habitable flood elevation being converted to habitable uses despite the area being identified as vulnerable to potential flooding, and
  - b. the increased impact of large buildings due to the floor area ratio exemption applying to all space below the flood construction level; and,
- (3) that new definitions be added to define and restrict kitchens, accessory kitchens, bathrooms and laundry facilities to help avoid easy conversion of dwellings to include unauthorized suites that are additional to the permitted principal dwelling unit and secondary suite.

## BACKGROUND

The policies of the Official Community Plan promote the design and construction of new buildings and landscaping within established neighbourhoods to fit with the established neighbourhood context. As changes occur to the nature of new homes being built in these neighbourhoods, from

## Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

time to time the City needs to amend its regulations to ensure the overall policy continues to be met.

Initially, neighbourhoods were comprised of relatively modest homes on relatively large lots and few homes included secondary suites. However, when this began to change in the late 1990s with larger homes being constructed the City introduced a floor area ratio restriction to relate the size of the home to the size of the lot and limit house size to 50% of the lot area. At that time, the City also amended its bylaws to permit secondary suites within single residential dwellings, recognizing the increasing value of this use as a “mortgage helper” as well as providing for rental accommodation within established neighbourhoods.

The current situation is that homes are now being constructed to the maximum square footage allowed by the Zoning Bylaw's floor area ratio and builders are maximizing the spaces that are exempt from being included in this calculation. Many homes are also being designed for easy conversion to include not only a permitted secondary suite (in single residential buildings) but also an additional unauthorized suite (in both single residential buildings with a secondary suite and in duplex buildings), after the building permit and inspection processes are complete. This situation contravenes both the City's zoning regulations and the BC Building Code. It is resulting in significant neighbourhood impacts including very large new homes incompatible within the established context, substantial on-street parking demand, and extensive paving of front and rear yards and boulevards to accommodate additional vehicles. The higher density is not supported by amenities such as sidewalks and street lighting, which are not required for local streets in established residential areas intended for single and two family homes. There are also safety concerns related to the unauthorized construction.



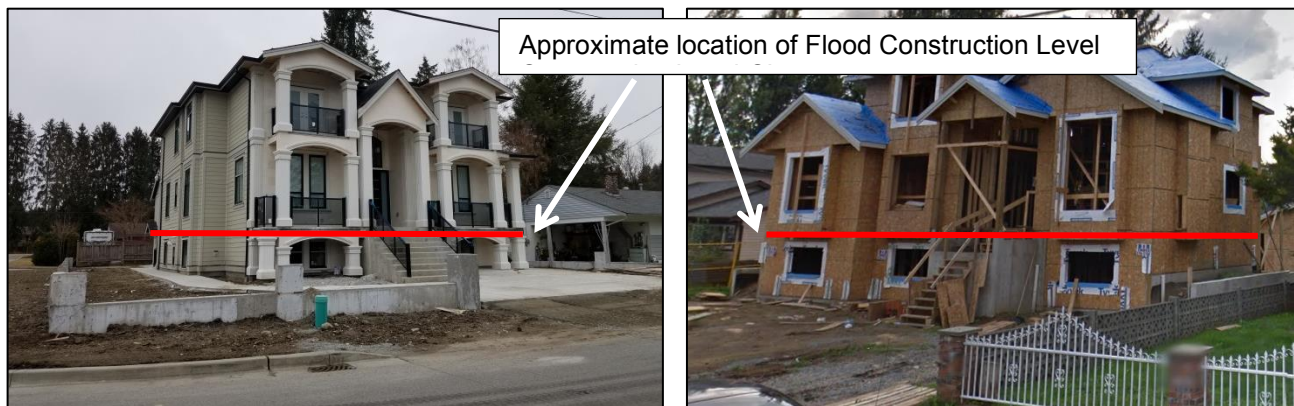
Example of new houses in an established neighbourhood

Two of the three new homes shown on the above image are designed to include an authorized secondary suite conforming to current regulations. In addition, the homes have a separate recreation room within the basement that includes a bar sink and additional outdoor access. These

## Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

features could easily facilitate conversion to an unauthorized suite if an owner adds a fridge and stove once inspection processes are complete.

The Zoning Bylaw restricts homes in the flood plain to having habitable floor space located above the flood construction level, which can be as much as 7 or 8 feet above a site's natural grade, and only includes habitable space in its calculation of the floor area ratio. The bylaw further defines habitable floor areas to include bedrooms, kitchens and living rooms. The space below the habitable construction level may include bathrooms, garages, utility rooms, mechanical rooms and entry foyers and there are no restrictions on building elements such as windows and doors to this non-habitable and exempt space. Over time, many (if not most) property owners convert this non-habitable space to include habitable rooms and, often, unauthorized suites.



The BC Building Code sets specific regulations for secondary suites in single residential dwelling but it does not allow for any more than one suite. Under the Code, a building must be built to a higher standard if it includes more than the two permitted dwelling units (i.e., the principal residence and one suite). There is no consideration currently being given by the Province to allow for any more than one suite in a single residential unit without meeting the higher Code standard due to safety concerns. The National Building Code sets regulations for secondary suites within a duplex and several municipalities are now allowing for this use within their duplex areas, some on a pilot basis. To date, allowing for secondary suites has not been proposed for Port Coquitlam but it is anticipated consideration will be given to this option in the upcoming review of townhouse-designated areas.

The City currently has 9,980 properties zoned to permit single-residential development and 273 for duplex development. Of these properties, 21% (2,198) are located in the flood plain. 2,986 of the single residential homes are estimated to have one secondary suite, a use which is permitted by the Zoning Bylaw and BC Building Code. It is not known how many single residential homes have been altered to include two or more secondary suites or how many duplexes contain suites, neither of which are permitted by the City or the Code. An analysis of the building permits indicated that of 36 building permit applications received in 2018, 89% (32 of the 36 applications, including one



## Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

duplex) were designed to easily facilitate conversion to include unauthorized additional suites. Of the four building permit applications for dwellings in the floodplain processed in 2018, three were designed to easily facilitate conversion of the non-habitable space to one or more additional suites.

### PROPOSED BYLAW AMENDMENTS

#### (1) Limit the Floor Area Ratio Exemption for areas within a basement:

The maximum size of a house is currently determined by carrying out a calculation of the permitted floor area ratio. The Zoning Bylaw sets a maximum floor area ratio in residential areas of 0.5, which means the dwelling can have a floor area which is 50% of the lot area. It further allows for the following exemptions:

- 46 m<sup>2</sup> (495 sq.ft.) of floor area for a garage or carport, and, in the case of a property with a coach house, an additional 23m<sup>2</sup> of floor area for a garage or carport;
- Floor area below the habitable floor elevation;
- Any floor area comprising a basement; and
- Balconies, decks, and areas within underground structures.

A basement is defined as a floor level that is more than 50% below the finished grade, resulting in the main floor of the house approximately 4' above the finished grade. A crawl space is also not included in a floor area ratio calculation.

It is proposed that the amount of basement floor area that can be excluded from the floor area calculation be amended to limit this exemption to 0.15 times the lot area. This amendment would still allow a builder to construct a sizable basement, but any additional space in the basement would be included as part of the total permitted floor area. This amendment will continue to relate house size to lot size, continue to accommodate a secondary suite, and better distribute floor area (reducing building massing) while not limiting design options.

The rationale for the proposed amendment, compared to other potential changes to current regulations, is that it best addresses the concern related to multiple illegal suites in basements, where most unauthorized suites are located. The amendment does not restrict basements from being constructed, but requires that any floor area which exceeds the exemption of 0.15 times the lot area must be counted. For comparison, this approach is similar to that taken for a garage. An owner may build as large of a garage as desired but any floor area which exceeds the exemption must be counted. It also avoids penalizing residents who may not wish to include a basement if, for example, the selected option to address the concern was to reduce the permissible floor area ratio.

The following table illustrates the potential impact of the proposed amendment:

## Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

| Example of Homes with basements | Lot area and dimensions               | Current and proposed total floor area <sup>1</sup> | Current exempt basement area (example) <sup>2</sup> | Proposed exempt basement area      |
|---------------------------------|---------------------------------------|--|---|------------------------------------|
| Small lot                       | 4,026 sq. ft. lot<br>(33 ft x 122 ft) | 2,013 sq. ft.                                      | 1,007 sq. ft.                                       | 604 sq. ft.                        |
| Large lot                       | 7,808 sq. ft. lot<br>(64 ft x 122 ft) | 3,904 sq. ft.                                      | 1,952 sq. ft.                                       | 1,171 sq. ft.                      |
| Duplex                          | 7,198 sq. ft. lot<br>(59 ft x 122 ft) | 3,959 sq. ft.                                      | 1,980 sq. ft.<br>(990 sq.ft./unit <sup>3</sup> )    | 1,080 sq. ft.<br>(540 sq.ft./unit) |

### (2) Limit spaces within the building that are below the flood plain elevation:

The Zoning Bylaw defines a habitable room as a room whose ordinary use involves the presence of people other than a bathroom, garage, utility or mechanical room, and entry foyer. No habitable room may be located below the habitable floor elevation, which is defined to mean the flood construction level set by a Schedule to the Zoning Bylaw. The habitable floor elevation can be as much as 7 or 8' above natural grade.

The primary issue associated with buildings in the flood plain occurs when owners convert non-habitable space below the flood construction level to a secondary suite or other habitable space. This increases the potential damage which could occur should the City experience a flood as well as creates a level of vulnerability for persons who may be living in space below the flood plain elevation.

The amendments proposed to address this concern are:

- to restrict the number and size of non-habitable rooms located below the flood construction level to:
  - one entry foyer up to 10m<sup>2</sup> (107 ft<sup>2</sup>) in size and
  - one mechanical and/or utility room with no more than one set of laundry facilities of up to 7m<sup>2</sup> (75 ft<sup>2</sup>) in size
 and to include these spaces in the floor area ratio calculation (remove the current exemption);
- to allow for one garage up to 46m<sup>2</sup> (495 ft<sup>2</sup>) in size, which would continue to be exempt from the floor area ratio calculation;

<sup>1</sup> Based on a maximum floor area ratio of 0.50 for single family homes and 0.55 for duplexes; not including exempt space for a garage.

<sup>2</sup> This calculation assumes that the size of the basement would be the same as the size of the main floor and that the main floor and second floor would be of equal sizes, for illustrative purposes. The total amount of exempt basement space could be larger than illustrated if, for example, a building had a large main floor and small second floor.

<sup>3</sup> Assumes equal distribution between units

## Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

3. to restrict all other spaces within the building below the flood construction level to that of a crawl space with a floor to ceiling height of no more than 1.5m (5 ft.); and,
4. to not permit windows or external door openings in a crawl space area.

### **(3) Limit ancillary kitchens, bathrooms and laundry facilities:**

The Zoning Bylaw defines a dwelling unit as “a self-contained suite of rooms used or intended to be used as a residence by one family and containing both cooking and sanitary facilities”. The Bylaw does not define or limit what constitutes cooking and sanitary facilities. The review of building permit applications has revealed that some developers are proposing to include multiple facilities, a proposal that facilitates future conversion of the dwelling unit to include multiple suites.

To address this situation, the following changes are recommended:

1. Define cooking facilities as including a food preparation area with a sink and appliance for the heating and cooking of food (stove) and ancillary cooking facilities as including a food preparation area with an appliance for the heating and cooking of food which can only be accessed from a cooking facility.
2. Limit the number of permitted cooking facilities to one per dwelling unit (i.e., one in a principal residence and one in a secondary suite) and limit ancillary cooking facilities to one per cooking facility.
3. Define sanitary facilities as including a sink, toilet and shower or bath within a room or connecting rooms and limit in a basement to one sanitary facility.
4. Define laundry facilities as including appliances for cleaning, rinsing or drying of textiles which is principally designed for use within a domestic environment and limit laundry facilities to one per dwelling unit.

### **FINANCIAL IMPLICATIONS**

The proposed bylaw changes would not impact the City's current practice of billing for secondary suites. The City currently bills water, sewer and solid waste fees for any secondary suites that exist including dwelling units that are not permitted under, or do not comply with, the Building Code or a City bylaw (such as the Zoning Bylaw or Building and Plumbing Bylaw). The charge imposed on a property reflects the actual use of the property from a utility consumption standpoint only. The City's inclusion of unlawful dwelling units in the calculation of such charges does not constitute City approval of such a dwelling unit, nor does it affect or limit the City's powers to enforce its bylaws with respect to such a dwelling unit.


## Amendment of Floor Area Ratio Exemptions, Development below the Flood Construction Level, and Facilities in Dwelling Units

### **PUBLIC CONSULTATION**


The public would be formally consulted through the public hearing process for the bylaw amendments. Associated with the bylaw amendment process, staff intend to provide public information and focused information for builders that will help create an enhanced understanding of secondary suite and flood plain regulations as well as the information on the proposed bylaw amendments.

### **OPTIONS**


#### Basement exemption

| #  | Description   |
|--|---|
| 1<br> | Introduce the recommended floor area exemption of 0.15  |
| 2  | Request staff bring forward a different proposal to address concerns related to large basements |
| 3  | Determine that no change is required to the current exemption                                   |

#### Area below the Flood Construction Level

| #  | Description  |
|--|--|
| 1<br> | Restrict to crawl space with no windows or doors plus garage, utility room and entry foyer and include utility rooms and the entry in the floor area ratio |
| 2  | Request staff bring forward a different proposal to address concerns related to habitable areas being located below the flood construction level           |
| 3  | Determine that no change is required to the current regulations  |

#### Facilities

| #  | Description  |
|--|--|
| 1<br> | Introduce the recommended definitions for kitchens, accessory kitchens, bathrooms and laundries  |
| 2  | Request staff bring forward a different proposal to address concerns related to easy conversion of units to multiple suites due to multiple facilities |
| 3  | Determine that no change is required to the current regulations  |

**Lead author(s):** Bryan Sherrell, Jennifer Little

**Contributing author(s):** Shawn Hagan



## Amendment to Parking Cash-in-Lieu

### **RECOMMENDATION:**

That Council give first three readings to the Parking and Development Management Bylaw 2018, No. 4078, Amendment Bylaw No. 4129, 2019.

### **PREVIOUS COUNCIL/COMMITTEE ACTION**

None

### **REPORT SUMMARY**

This report recommends updating the Parking and Development Management Bylaw to increase the amount a developer may pay if utilizing the bylaw's option for cash-in-lieu of parking option. The proposed increase to \$40,000 reflects the current cost for a replacement parking stall.

### **BACKGROUND**

In 2008, the City amended its parking regulations to include limited provision for cash-in-lieu of parking spaces for sites within the Downtown (including the downtown residential areas and business area). At the time, \$15,000 was estimated to be the cost to develop a new parking stall within a new apartment residential or commercial building. The bylaw allows property owners to provide cash-in-lieu payments for up to 10% of their required parking spaces instead of constructing the space. Since the bylaw was adopted, a number of applicants for apartment buildings have taken advantage of this option.

### **DISCUSSION**

The cost to construct a new parking stall is now estimated to be an amount between \$35,000 and \$45,000 for a space to be located underground or in a parking structure. While surface spaces would be less costly to construct, there are no lands suitable for new surface parking lots within the Downtown. In order to ensure the City obtains sufficient funding to meet future parking needs in the downtown, it is recommended that the bylaw be updated to set a cash-in-lieu amount of \$40,000.

There are a number of in-process development permit and building permit applications for apartment buildings where the applicant is utilizing the cash-in-lieu option. The new amount would not be applied to these applications, but would be applicable to any new development permit or development variance permit application received after the date of bylaw adoption. In addition, the new amount would be applied if, after the date of adoption, an owner submits a request to renew an expired development permit.


### **FINANCIAL IMPLICATIONS**

Continuing to set a \$15,000 payment in lieu of parking will result in insufficient funds to offset the cost of constructing future parking improvements. Increasing the amount to \$40,000 would be in

## Amendment to Parking Cash-in-Lieu

line with the projected cost to construct a new parking space. The payments in lieu of parking are transferred to the Parking Reserve for future parking projects.

### **OPTIONS**

|  |   |
|--|---|
| 1<br> | Amend the cash-in-lieu amount from \$15,000 per parking space to \$40,000 per space |
| 2  | Amend the cash-in-lieu amount from \$15,000 per parking space to a different amount |
| 3  | Not amend the cash-in-lieu amount at this time.                                     |

### **ATTACHMENTS**

Attachment #1: Parking and Development Management Bylaw, 2018, No. 4078, Amendment Bylaw No. 4129, 2019

## CITY OF PORT COQUITLAM

## PARKING AND DEVELOPMENT MANAGEMENT AMENDMENT BYLAW

Bylaw No. 4129

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The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “Parking and Development Management Bylaw, 2018, No. 4078, Amendment Bylaw, 2019, No. 4129”.

2. ADMINISTRATION

The Parking and Development Management Bylaw, 2018, No. 4078, is amended as follows:

In section 9, Payment in Lieu of Parking Spaces, subsection 9.1(b) by replacing “\$15,000” with “\$40,000”.

|                         |        |        |
|-------------------------|--------|--------|
| READ A FIRST TIME this  | day of | , 2019 |
| READ A SECOND TIME this | day of | , 2019 |
| READ A THIRD TIME this  | day of | , 2019 |

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Mayor

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Corporate Officer

## Parking & Development Management Amendment Bylaw No. 4135 (Accessible Parking) - First Three Readings

### RECOMMENDATION:

*That Council give Parking & Development Management Amendment Bylaw No. 4135 (Accessible Parking) first three readings.*


### PREVIOUS COUNCIL/COMMITTEE ACTION

At the May 14, 2019, Committee of Council meeting, Committee recommended to Council:

*That that the Parking and Development Management Bylaw be amended to include requirements for accessible parking spaces.*

### OPTIONS

(Check = Staff Recommendation)

| #   | Description   |
|---|---|
| 1<br> | Give first three readings to the bylaw.   |
| 2   | Delay first three readings and request staff to provide additional information. |
| 3   | Deny first three readings of the bylaw.   |

# CITY OF PORT COQUITLAM

## PARKING AND DEVELOPMENT MANAGEMENT AMENDMENT BYLAW

### Bylaw No. 4135

---

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “Parking and Development Management Bylaw, 2018, No. 4078, Amendment Bylaw, 2019, No. 4135”.

2. ADMINISTRATION

The Parking and Development Management Bylaw, 2018, No. 4078, is amended as follows:

- 2.1 In section 8, Required Off-Street Parking Spaces, by inserting “At least 2 visitor spaces in a building with 10 or more dwelling units” in the column, “Additional Parking Space Requirement” for an apartment building use and an apartment building with a height greater than 6 storeys use;
- 2.2 In section 12, Parking Space Standards, subsection 12.2 by deleting clause d); and
- 2.3 By adding the following new section 13, and renumbering subsequent sections accordingly:

“13. ACCESSIBLE PARKING SPACE STANDARDS FOR PERSONS WITH DISABILITIES

- 13.1 Where off-street parking is provided for the building or use classes listed under section 8, accessible parking spaces must be provided for persons with disabilities as follows:
  - a) where more than 50 off-street parking stalls are required to be provided, parking spaces shall be provided in the ratio of 1 accessible parking space for every 100 stalls or part thereof, and
  - b) a minimum of one accessible parking space shall be provided for each designated wheelchair space or accessible sleeping room required by the BC Building Code.
- 13.2 Parking spaces for use by persons with disabilities shall:
  - a) be not less than 2.5 metres wide,
  - b) be provided with an access aisle not less than 1.5 metres width on one side and that may be shared between two adjacent parking spaces for persons with a disability,
  - c) have a firm, slip-resistant and level surface,

- 13.3 The following regulations shall apply to any building containing 10 or more dwelling units:

- READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019
- READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019

Corporate Officer

## Regulating Accessible Parking Stalls

### **RECOMMENDATION:**

That Committee of Council recommend to Council that the Parking and Development Management Bylaw be amended to include requirements for accessible parking spaces.

### **PREVIOUS COUNCIL/COMMITTEE ACTION**

None

### **REPORT SUMMARY**

This report proposes that the City's parking regulations be amended to require the provision of accessible parking spaces for persons with disabilities in new developments. The BC Building Code formerly set regulations for these spaces, but the Province recently amended the Code to delete its requirement and is encouraging local governments to set regulations deemed appropriate for their communities. To ensure persons eligible to park in an accessible parking stall will continue to have this opportunity in Port Coquitlam, the report recommends the former provincial requirements be required by the City as a baseline. It further recommends that any building with 10 or more apartment units be required to include at least one accessible parking stall and that this stall must be part of the common property.

### **BACKGROUND**

The Province amended the BC Building Code in December 2018 to remove its regulations pertaining to parking stall requirements for persons with a disability. As explained in the attached bulletin, the rationale for this amendment was based on the Province's opinion that local governments are better positioned to establish appropriate regulations for their communities and a recognition that many communities had introduced regulations to augment the Code's requirements. To comply with Council's policies with respect to accessibility, the provincial action creates an obligation for the City to ensure parking for persons with disabilities continues to be provided and creates an opportunity to enhance how accessibility needs are met.

Prior to introducing the amendment, the provincial Building and Safety Standards Branch consulted with a number of stakeholders. The feedback it obtained generally indicated that the parking requirements for persons with a disability in the BC Building Code were insufficient. Consequently, the Province set accessible parking spaces as an unrestricted matter under the *Building Act*, allowing for local governments to retain or establish their own requirements in their bylaws. To address the regulatory overlap between the Code and municipal bylaws and in support of harmonizing the BC Building Code with the National Building Code, accessible parking provisions were not included in the BC Building Code 2018, which became effective December 10, 2018.

## Regulating Accessible Parking Stalls

For Committee's further information, as a separate matter local governments may regulate parking for persons with disabilities in public areas (such as on-street parking) under the *Motor Vehicle Act*. This authority can be relevant if, for example, the City wishes to address a specific situation by allocating accessible parking spaces that could be additional to those required on private property.

### **DISCUSSION**

Accessible parking spaces are an important component of an accessible transportation system. Now that the Province has determined regulations should be set by local governments, rather than relying on provincial regulations, it is proposed that the City's parking regulations be amended to continue requiring accessible parking spaces for persons with disabilities. In addition, it is proposed that the City require that any building with more than 10 apartment units must have at least one accessible parking stall as part of its visitor parking allocation.

In summary, the following changes are proposed:

- Implementing the former provisions in BC Building Code, i.e.:
  - where a development requires more than 50 parking stalls, parking stalls for persons with disabilities meet a ratio of 1 for every 100 stalls (or part thereof); and,
  - the minimum dimension required for an accessible parking space be at least 3.7 m in width.
- Augmenting the former Code by requiring at least two visitor parking spaces in any apartment or mixed-use building with more than 10 residential units, and providing that one of these must be designated for persons with disabilities. This provision would ensure that at least one designated space would be included as common property in a building with strata ownership. As the City requires one visitor parking space per 5 units, this requirement does not increase the number of required visitor parking spaces to minimize the potential impact of the regulation on a site's development potential.
- Setting regulations with respect to identification of accessible parking spaces and signage.

### **FINANCIAL IMPLICATIONS**


None.



## Regulating Accessible Parking Stalls

### **OPTIONS**

(Check = Staff Recommendation)

| #  | Description   |
|--|---|
| 1<br> | Recommend to Council that the Parking and Development Management Bylaw be amended to include accessible parking spaces.   |
| 2  | Request additional information prior to forwarding a recommendation to Council.   |
| 3  | Take no action and leave the bylaw in its current form. Accessible parking spaces may be voluntarily provided by a developer or negotiated through a development approval process, if applicable. |

### **ATTACHMENTS**

Attachment #1: Proposed amendments to the Parking and Development Management Bylaw  
Attachment #2: Building and Safety Standards Branch Information Bulletin No. B18-09  
Attachment #3: Excerpt from the 2018 BC Building Code (guidelines for accessible parking)  
Attachment #4: Regulations of the *Motor Vehicle Act*

**Lead author(s):** Shawn Hagan

Excerpt showing Proposed Changes to Parking Regulations  
Parking and Development Management Bylaw, 2018 Bylaw No. 4078

4. PARKING SPACE STANDARDS

4.2 Off-street parking spaces provided for each use or building as required by this Bylaw shall conform to the following regulations:

~~d) accessible parking spaces suitable for individuals with disabilities shall be provided, of the number and dimensions required by the British Columbia Building Code and the Bylaws of the City.~~

5. ACCESSIBLE PARKING SPACE STANDARDS FOR PERSONS WITH DISABILITIES

5. 1. Where off-street parking is provided for the building or use classes listed under section 8, accessible parking spaces must be provided for persons with disabilities as follows:

- (a) where more than 50 off-street parking stalls are required to be provided, parking spaces shall be provided in the ratio of 1 for every 100 or part thereof;
- (b) a minimum of one accessible parking space shall be provided for each designated wheelchair space or accessible sleeping room required by the BC Building Code.

5. 2. Parking spaces for use by persons with disabilities shall:

- (a) be not less than 2.5 meters wide and provided on one side with an access aisle not less than 1.5 meters wide,
- (b) the width of the access aisle in (a) may be shared between the adjacent parking spaces for persons with disabilities.
- (c) have a firm, slip-resistant and level surface,
- (d) be located close to an accessible entrance required to the building,
- (e) be clearly marked on the parking surface with the International Symbol of Access shown below as being for the use of persons with disabilities, and
- (f) be identified by a sign located not less than 1.5 meters above ground level as being for the use of persons with disabilities, with the International Symbol of Access.

5. 3. A minimum of one accessible parking space shall be provided as part of the visitor parking space requirements and, if the building is stratified, shall be common property.



No. B18-09  
 December 17, 2018

## **Regulatory Changes to Accessible Parking Requirements**

The purpose of this bulletin is to provide information about the removal of historical accessible parking requirements from the BC Building Code and resources to support local governments in regulating accessible parking in their bylaws.

### **Legislation**

Part 14 of the *Local Government Act* [RSBC 2015] enables local governments and the Islands Trust to make decisions on planning and land use within their jurisdiction. Section 525 of the *Local Government Act* provides local governments with the authority to establish off-street parking requirements, including specific design standards for accessible parking.

The *Building Act* [SBC 2015] establishes the Province as the primary authority to establish building requirements. The *Building Act* was adopted to support consistency in the building regulatory system by eliminating the patchwork of building requirements that varied across the province. At the same time, the Province recognized that the need for consistency must be balanced with flexibility in order for local governments to meet specific community needs. Section 5 of the *Building Act* allows for such flexibility by providing local governments the authority to establish building requirements for matters identified as unrestricted by regulation.

There are two reasons for which a matter may be unrestricted under Section 5 of the *Building Act*:

- The matter is subject to a particular location or unique circumstance; therefore, the local government is best positioned to set the requirements; or
- A local government aims to achieve an objective under an existing statutory authority and the enacted building requirement is necessary to achieve that objective.

### **Background**

In February 2016, the Province approved accessible parking spaces as an unrestricted matter under the *Building Act*, for which local governments could retain or establish their own requirements in bylaws. The Building and Safety Standards Branch distributed an information bulletin titled [Building Act: Update for Local Governments](#) to support local governments.

The Building and Safety Standards Branch consulted with stakeholders about accessibility requirements in the BC Building Code in February 2018. The consultation feedback on parking generally indicated that the BC Building Code's historical parking requirements were insufficient.

To address the regulatory overlap between the BC Building Code and municipal bylaws and in support of harmonizing the BC Building Code with the National Code, accessible parking provisions are not included in the BC Building Code 2018, which became effective December 10, 2018.

## Regulatory Change

The BC Building Code 2018 is harmonized with the National Building Code 2015, which does not include requirements for accessible parking spaces.

While previous editions of the BC Building Code did provide the minimum requirements for accessible parking in instances where off-street parking was either required by local government bylaw or provided voluntarily by the building owner, the regulatory overlap between the *Local Government Act* and the BC Building Code had the potential to cause confusion regarding which requirements should be followed. Removing historical accessible parking requirements from the BC Building Code 2018 clarifies that local governments are best suited to regulate accessible parking spaces according to their communities' needs. Local governments that do not already have their own accessible parking requirements in their bylaws may wish to consider amending their bylaws to incorporate accessible parking requirements.

The BC Building Code 2018 requires a greater level of building accessibility by combining the requirements of the National Building Code 2015 with BC's historical requirements. In aligning more closely with the National Building Code, the BC Building Code achieves greater consistency not only with the National Building Code, but also with codes from other Canadian jurisdictions.

## Resources

Several resources are available to support enhancing accessible parking, as outlined below.

The [Accessible Design for the Built Environment standard](#) (CSA B651-18) provides guidance on accessible parking standards. Local governments who do not already regulate accessible parking may adopt these standards or establish requirements that work best for their communities.

The City of Ottawa developed [Accessibility Design Standards](#) to support the design of accessible on and off-street parking.

The [Accessibility for Ontarians with Disabilities Act](#): Integrated Accessibility Standards includes requirements governing the design of public spaces in the built environment.

The Social Planning and Research Council, with input from various communities, developed an [Accessible Community Bylaw Guide](#). For a sample Model Accessible Parking Bylaw, please review pages 72-25.

## British Columbia Building Code 2018

Although accessible parking is no longer regulated by the BC Building Code, guidance to support local governments to establish accessible parking requirements in their bylaws is available in the Notes of the BC Building Code.

## Implications

Local governments that do not already have accessible parking requirements in their bylaws may wish to develop requirements that meet the specific needs of their communities. Bylaws with existing accessible parking requirements will continue to apply without overlap with the BC Building Code.

Local governments are best positioned to set accessible parking requirements based on the demographics, types of buildings developed, and the specific needs of their communities.

**Communities without specific bylaw provisions will be unable to enforce minimum standards for accessible parking after December 10, 2018.**

| Scheme   | BC Building Code 2012  | BC Building Code 2018   |
|--|--|---|
| <b>Local Government Bylaw with Accessible Parking Requirement</b>    | <p>Local bylaw applies.</p> <p>Building owners must provide the minimum number of accessible parking spaces in the BC Building Code or, if accessible spaces are required in the local bylaw, the minimum number of accessible spaces in the bylaw.</p> <p>Building owners must comply with which ever requirement is greater.</p> | Local bylaw applies.  |
| <b>Local Government Bylaw without Accessible Parking Requirement</b> | Where parking is required by local government, or parking is provided voluntarily by the building owner, building owners are required to comply with the minimum accessibility requirements in the BC Building Code.   | The 2012 accessibility requirements are provided in the Notes of the 2018 BC Building Code. Local governments can amend their bylaw to reproduce these requirements or to include their own. In the absence of accessible parking requirements in bylaws, local governments will be unable to enforce minimum standards for accessible parking. |
| <b>Code Provisions</b>   | <p>One of every 100 spaces must be accessible when 50 or more spaces are provided.</p> <p>Minimum width of 3.7m required.</p>  | Guidance provided in the Notes of the BC Building Code.   |

### More Information

Please direct any questions about developing new bylaws to:

Ministry of Municipal Affairs and Housing  
Planning and Land Use Management Branch  
Telephone: 250-387-3394  
Email: [PLUM@gov.bc.ca](mailto:PLUM@gov.bc.ca)

Please direct any questions about technical code requirements to:

Ministry of Municipal Affairs and Housing  
Building and Safety Standards Branch  
Telephone: 250-387-3133  
Email: [Building.Safety@gov.bc.ca](mailto:Building.Safety@gov.bc.ca)

Full text of Part 14 of the *Local Government Act* – Planning and Land Use Management:

[http://www.bclaws.ca/civix/document/id/complete/statreg/r15001\\_14](http://www.bclaws.ca/civix/document/id/complete/statreg/r15001_14)

Full text of the *Building Act*:

<http://www.bclaws.ca/civix/document/id/complete/statreg/15002#part1>

Full text of the *Accessibility for Ontarians with Disabilities Act*:

<https://www.ontario.ca/laws/statute/05a11>

For more information about the changes to accessibility requirements, please see technical bulletin

[18-05: Accessibility in the British Columbia Building Code 2018](#).

### Guidance from the 2018 BC Building Code

**NOTE:** The information below is an excerpt from a portion of the Appendix to the 2018 BC Building Code. The Appendix provides explanatory material and is not an enforceable part of the Code.

In localities where local regulations or bylaws do not govern the provision of or dimensions of accessible parking spaces, the following provides guidance to determine appropriate provisions.

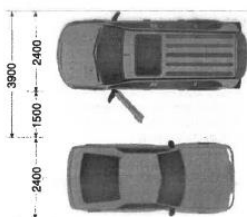
If more than 50 parking spaces are provided, parking spaces for use by persons with physical disabilities should be provided in the ratio of one for every 100 parking spaces or part thereof.

Parking spaces for use by persons with physical disabilities should:

- (1) be not less than 2400mm wide and provided on one side with an access aisle not less than 1500mm wide,
- (2) have a firm, slip-resistant and level surface,
- (3) be located close to an entrance required to conform to Article 3.8.2.2.,
- (4) be clearly marked as being for the use of persons with physical disabilities, and
- (5) be identified by a sign located not less than 1500mm above ground level, with the International Symbol of Access shown below.



Asphalt and concrete are acceptable parking surfaces. Curb ramps should be not less than 1500mm wide. Parallel parking spaces should be not less than 7000mm long. If more than one parking space is provided for persons with physical disabilities, a single access aisle can serve two adjacent parking spaces. The arrangement shown below allows the shared use of an access aisle to serve two adjacent parking spaces provided for use by persons with physical disabilities.



It is not intended that a separate accessible entrance must be provided from the parking area. The designer may choose to designate the entrance leading to the parking area as the required entrance or to provide a properly identified and unobstructed path of travel from the parking area to the entrance which is accessible. The entrance chosen should, in any case, be the closest entrance to the parking area and one normally used by the occupants of the building. Long paths of travel are not recommended.



## Attachment 4 Excerpt Motor Vehicle Act

**Motor Vehicle Act**

01 In this Division:

**"applicant"** means a person who applies for a disabled parking permit under this Division;

**"disabled person"** means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk;

**"disabled zone"** means a parking zone identified by the disabled parking sign as set out in Schedule 2 of Division 23 of these regulations;

**"permit"** means a disabled persons' parking permit issued under this Division.

[en. B.C. Reg. 472/90.]

**Application for permit**

38 . 02(1) A permit issued in the form established by the Insurance Corporation of British Columbia is valid throughout the Province.

(2) A permit may be issued on behalf of the Province by a municipality or an organization a municipality designates for the purposes of this section.

(3) Application for a permit must be made by or on behalf of a disabled person to a municipality or organization referred to in subsection (2).

(4) On being satisfied that the person to which the permit would apply is a disabled person, the municipality or organization referred to in subsection (2) may

(a) issue a permit or temporary permit for the disabled person, or

(b) issue a substitute permit for a permit that is lost, stolen or mutilated or that has become illegible.

[en. B.C. Reg. 472/90; am. B.C. Reg. 317/96, s. 1.]

**Display of permit**

38 . 03 The person to whom a permit is issued shall, while a vehicle is parked in a disabled zone, display the permit in or on the vehicle the person is operating or in which the person is a passenger

(a) by suspending it from the rearview mirror inside the vehicle so that it is in plain view of any person looking through the windshield of the vehicle from the sidewalk or roadside, or

(b) by placing it on the dashboard in front of the driver's position.



## **LATE ITEMS**

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These items were added to the agenda after it was published.

Please see the additional information attached for the following:

- Item 4.2 Legion Week – June 24 – 30, 2019

# PROCLAMATION

**WHEREAS** The Royal Canadian Legion is Canada's primary non-governmental organization providing services to Canada's war veterans, serving Canadian Forces personnel, and ensuring that the memory of the sacrifices made by Canada's military in the service of this nation and for the peace and stability of the world shall never be forgotten; and

**WHEREAS** The Royal Canadian Legion represents tens of thousands of veterans and their families in the Province of British Columbia and raises several millions of dollars each year through many non-profit fund-raising activities at the community and branch level; and

**WHEREAS** The Royal Canadian Legion Branch #133 celebrates 85 years of service in 2019 and supports many community programs and activities benefiting veterans, seniors and youth within the City of Port Coquitlam; and

**WHEREAS** The Royal Canadian Legion Branch #133 welcomes all members of our community, including Children and Youth, to join with their families during Legion Week and throughout the year, during meal service;

**NOW THEREFORE:** I, Brad West, Mayor of the Corporation of the City of Port Coquitlam,

**DO HEREBY PROCLAIM**

**June 24 – June 30, 2019**

**as**

**"Legion Week"**

**in the City of Port Coquitlam**

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Brad West  
Mayor

