

RECOMMENDATION:

That Committee of Council:

- 1. Recommend to Council they adopt amendments to the Official Community Plan and Parking and Development Management Bylaw, as outlined in this report, in order to comply with Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023;*
- 2. Direct staff to consider additional opportunities to support transit-oriented development through the Official Community Plan update.*

PREVIOUS COUNCIL/COMMITTEE ACTION

None.

REPORT SUMMARY

This report provides a summary of bylaw amendments proposed as a response to the Transit-Oriented Areas {*Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act 2023*} legislation. The report recommends that lands contained within the three prescribed Transit-Oriented Areas (TOA) be given a Frequent Transit Development land use designation in the OCP, that policies to support consideration of development within these areas be included in the Housing section of the OCP and that the Parking and Development Management Bylaw be amended to remove the requirement for residential parking in a TOA. The report further recommends that additional opportunities to support transit-oriented development be considered as part of the Official Community Plan update process.

BACKGROUND

On November 30, 2023, *Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act 2023* was enacted by the Province of British Columbia. The legislation, and the accompanying Transit-Oriented Areas Regulations, introduced a requirement for municipalities to permit minimum heights and densities for residential development on lands within set distance tiers from prescribed transit stations (TOA). The legislation also implemented a restriction on parking requirements for residential development within a prescribed TOA. Municipalities must designate these TOA by bylaw by June 30, 2024.

The Province passed several other pieces of complementary legislation which include the following additional requirements or provisions:

- Under *Bill 44: Housing Statutes (Residential Development) Amendment Act 2023*, enacted requirements for municipalities to:
 - Eliminate public hearings for residential rezoning which are consistent with an Official Community Plan (immediate implementation);
 - Allow increased density on lots currently zoned for single family or duplex homes (by June 30, 2024);

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- Complete an updated Housing Needs Report using a 20-year timeframe (by January 1, 2025); and,
- Update Official Community Plans and Zoning bylaw to align and accommodate 20-year housing projection (by December 31, 2025).
- Under *Bill 46: Housing Statutes (Development Financing) Amendment Act 2023*, amended the provisions and tools by which municipalities can finance capital costs associated with new development, including introducing Amenity Cost Charges (ACC). Existing municipal policies and bylaws pertaining to amenity and density bonusing will need to be amended and an ACC bylaw adopted by December 31, 2025.
- Under *Bill 16: Housing Statutes Amendment Act 2023*, provided municipalities new powers related to site level infrastructure and transportation requirements for new development, provision for municipalities to adopt Tenant Protection Bylaws (TPB), and new requirements pertaining to inclusionary zoning and use of density bonus provisions. This legislation is effective immediately, or as provided in previous legislation.

Legislative Framework for Transit-Oriented Areas (Province):

Bill 47 legislation establishes TOA around transit stations. The stations are separated into categories based on location and transit technology; within each category, the legislation sets a series of tiers based on distance from the transit station and then sets required minimum heights and densities for each of their tiers. In Port Coquitlam, two TOAs were effective as of December 7, 2023, and one TOA is effective as of June 30, 2024.

The legislation does not require municipalities to pre-zone lands, and does not change established rezoning processes (including submission requirements and fees) or the ability to require other approval processes such as development permits and building permits. It does not preclude the need for a rezoning application where a development proposes a density or height greater than what is permitted by current zoning; however, municipalities must adhere to the new minimum allowable densities and heights when exercising zoning authority in relation to rezoning applications and may not deny a rezoning application based solely on the density or height proposed if it is at or below the density and height set out in the Bill 47 legislation. Municipalities are also prohibited from requiring off-street residential parking stalls within a TOA development.

This legislation only applies to properties within a TOA zoned to permit a residential land use; including mixed commercial/residential land uses but not ancillary residential permitted with a principal industrial and agricultural use. For purposes of applying density bonus policies, municipalities are temporarily permitted to consider density within existing zoning as the base density; this provision will end December 30, 2025, when municipalities are expected to have an updated OCP with an associated Amenity Cost Charge bylaw in place.

The Province released the Provincial Policy Manual: Transit-Oriented Areas in December 2023

(updated in February 2024). This Manual includes recommended standards which must be considered by municipalities when making the necessary changes to regulations and policies to implement the TOA legislation and when making the following land use decisions related to lands in TOAs:

- Designating TOAs by bylaw
- Developing or amending an Official Community Plan
- Developing or amending zoning bylaws
- Developing or adopting parking regulation bylaws

Municipalities must designate TOAs by bylaw by June 30, 2024, and must provide notification to the Province once adoption of the bylaw is complete. Municipalities that do not comply with these legislative requirements may be subject to a ministerial order which overrides non-compliant bylaws.

Existing policies and regulations (Port Coquitlam):

The Official Community Plan (OCP) is the City's vision for future growth and development of the community. The OCP designates lands for specified uses, establishes policies to guide land use changes through rezoning processes in accordance with land use designations, and defines objectives and design guidelines through development permit designations to regulate new development.

The OCP includes the Frequent Transit Development (FTD) land use category, which allows for comprehensive developments with a mix of commercial and attached residential uses located in close proximity to a rapid transit station. The lands currently designated for FTD are within a defined triangular area bounded by Westwood Street and Woodland Avenue, in proximity to Lincoln SkyTrain Station.

The OCP also includes policies to support consideration of development within an FTD designated area, which includes ensuring development is transit-oriented and designed in a comprehensive manner, includes enhanced pedestrian and cycling oriented streetscapes, public realm and connections, appropriate building forms and commercial/residential land uses, a variety of housing tenure, compatible transition and design to adjacent lands and vehicular access.

The Zoning Bylaw establishes the specific uses permitted on property and associated regulations. The OCP contemplates lands within an FTD designated area would be rezoned to a Comprehensive Development Zone which allows site specific regulations pertaining to land uses, densities and other aspects of development.

Other relevant documents include the Parking and Development Management Bylaw, which establishes the minimum parking stalls required for different forms of development, and the Density Bonus Policy which establishes the conditions by which the City will consider residential density which is over and above the density permitted within the existing zone or designation (in an area

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designated as FTD in the OCP. (The policy specifies residential density in excess of a 1.5 FAR may be considered with a contribution of \$50/ft²).

Prescribed Transit-Oriented Areas in Port Coquitlam:

The legislation prescribes three TOAs in Port Coquitlam; Coquitlam Central TOA and Lincoln Station TOA are Category 1 TOA (Skytrain Station) and Port Coquitlam Station TOA is a Category 2 TOA (Bus Exchange or West Coast Express Station). Land within each TOA is divided into tiers based on their distance from the transit station. Maps which depict the extent of each TOA are included in Attachment 1. The tables below show a summary of the categories, tiers, and permitted densities for these TOAs.

Category 1 TOA (Skytrain)	Tier	Distance from Station	Minimum Density (FAR)	Minimum Height (Stories)	Comments
Lincoln Station and Coquitlam Central	1	200m or Less	Up to 5.0	Up to 20	No lands in either TOA
	2	200m-400m	Up to 5.0	Up to 12	Lands in Lincoln Station TOA
	3	400m-800m	Up to 5.0	Up to 8	Lands in both TOAs

Category 2 TOA (Bus/WCE)	Tier	Distance from Station	Minimum Density (FAR)	Minimum Height (Stories)	Comments
Port Coquitlam Station	1	200m or Less	Up to 4.0	Up to 12	
	2	200m-400m	Up to 3.0	Up to 8	

DISCUSSION

The recommended approach is reflective of the constrained timeframes for implementation decreed by the Province and designed to be implemented in two successive stages.

Stage 1: Initial Compliance

The recommended Stage 1 approach is intended to meet the requirements of the new legislation to designate prescribed TOAs, remove parking requirements for residential development within a TOA and to ensure compliance with the Provincial Policy Manual: Transit-Oriented Areas (Manual). The recommended bylaw amendments are summarized below:

- Section 7.2 *Housing and Neighbourhoods* in the Official Community Plan will be amended to include a new TOA section containing maps depicting the three prescribed TOAs and includes a description of each TOA, including transit category, relevant tier(s) per distance, minimum allowable density and minimum allowable height.
- Section 8.2 *OCP Land Use Designations and Zoning* will be amended to designate residential or mixed residential and commercial properties within the three prescribed TOAs as Frequent Transit Development (FTD), and the definition of this land use designation amended accordingly.
- Policies to support consideration of development within an FTD land use designation will be amended to note compliance with Bill 47 legislation and consideration of the Manual, include policies to support commercial/mixed use developments within appropriate contexts, ensure provisions of services and utilities to support higher density uses, design/transition criteria to ensure fit within community context and adherence to the Density Bonus Policy for lands designated FTD; and
- Amendments to the Parking and Development Management Bylaw to remove residential parking requirements for developments located within a prescribed TOA.

Stage 2: Additional Opportunities

Through the upcoming OCP review process, a more comprehensive assessment of the policies, regulations and opportunities pertaining to transit-oriented development would be undertaken. This would include consideration of expanding the TOA boundaries where they currently end mid-block with graduated densities and heights to help transition to surrounding neighbourhoods.


Consideration would also be given to expanding the TOA policies and FTD land use designation to other areas of the City, such as Shaughnessy and Lougheed Highway, subject to consideration of matters such as the provision of appropriate services, infrastructure, utilities, and amenities and clarity on matters such as encouraged unit type, size and tenure for transit-oriented development, amenity and density bonus provisions and affordable housing requirements.

FINANCIAL IMPLICATIONS

Construction of new housing units associated with the prescribed densities is anticipated to increase the assessed value of the lands but also anticipated to require the provision of additional services, infrastructure and amenities. A full financial assessment of the impacts of this change has not been undertaken.

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OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Recommend to Council that the bylaw and policy amendments recommended in this report as a response to Bill 47 be approved.
	2	Request additional information or amendments to the proposed amendments.

ATTACHMENTS

Attachment 1- Maps of prescribed TOAs

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