



# CHAPTER 16: DEVELOPMENT PERMIT AREA GUIDELINES

## GENERAL AUTHORITY FOR DEVELOPMENT PERMIT AREAS

Under sections 919.1 and 920 of the Local Government Act, an official community plan may designate development permit areas for or one or more of the following purposes:

- protection of the natural environment, its ecosystems and biological diversity;
- protection of development from hazardous conditions;
- protection of farming;
- revitalization of an area in which a commercial use is permitted;
- establishment of objectives for the form and character of intensive residential development;
- establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
- in relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region;
- establishment of objectives to promote energy conservation;
- establishment of objectives to promote water conservation;
- establishment of objectives to promote the reduction of greenhouse gas emissions.

## DESIGNATIONS AND LOCATIONS

The following areas of the City are hereby designated as development permit areas:

1. as identified on the attached Map 12:

- Development Permit Area 1:** Neighbourhood Residential (DPA 1);
- Development Permit Area 2:** Moody Centre (DPA 2);
- Development Permit Area 3:** Inlet Centre (DPA 3);

2. as identified on the attached Map 13:

- Development Permit Area 4:** Environmentally Sensitive Areas (DPA4);

3. as identified on the attached Map 14 and Map 15:

- Development Permit Area 5:** Hazardous Lands and Steep Slopes (DPA 5).

This Chapter describes the special conditions or objectives that justify the development permit area designations. The guidelines set out in Appendix 2 of this Official Community specify the manner by which the special conditions or objectives will be addressed.

## POLICY

1. The City shall review its Development Permit Area designations, objectives and guidelines, as appropriate, in order to ensure their compatibility with community objectives.

## 16.1 DEVELOPMENT PERMIT AREA 1: NEIGHBOURHOOD RESIDENTIAL

**Purpose of Designation Category:** Pursuant to subsection 919.1(f) of the Local Government Act, the purpose of this designation is to establish objectives for the form and character of commercial, industrial or multi-family residential development.

**Justification:** Much of the developable land in the City is devoted to residential neighbourhoods comprised of a range of single and multi-family housing, as well as, small-scale commercial uses, and community facilities such as schools, churches and public recreation facilities. Although these neighbourhoods differ in age, character, and rate of development, there are a number of common objectives for all neighbourhoods:

- to ensure that developments are compatible in scale, form and character with the existing community and consistent with the desired future development plans for the particular neighbourhood;
- to encourage developments that serve to preserve and enhance the special natural, historical or aesthetic features which help define the identity of the area;

- to provide ease of access for all Port Moody’s residents, regardless of physical capabilities;
- to ensure that, where necessary, the design of development which creates a suitable transition between adjacent differing land uses or residential densities;
- to ensure that multi-family development is designed so as to provide the features and amenities suitable for the needs of residents expected to reside in these developments.

These objectives provide the basis for a set of design guidelines to be applied to all multi-family residential, commercial, and community/public uses within DPA 1.

As shown on Map 11, DPA 1 includes all the existing and planned residential neighbourhoods in the City, except for several residential areas within Moody Centre (which fall within DPA 2), Inlet Centre (DPA 3) and those areas under the jurisdiction of the City’s North Shore Development Authorization (NSDA). It is intended that the areas lying within DPA 1 remain or are developed predominantly for residential use. In addition to residential development, complementary land uses traditionally found in local residential neighbourhoods will be supported in these areas.

## 16.2 DEVELOPMENT PERMIT AREA 2: MOODY CENTRE

**Purpose of Designation Category:** Pursuant to subsection 919.1(f) of the Local Government Act, the purpose of this designation is to establish objectives for the form and character of commercial, industrial, intensive residential, or multi-family residential development.

**Justification:** Moody Centre is the historic core of the City, with much of its early development related to the completion of the first transcontinental railroad in 1885. The City wishes to reflect this history in the future development of much of Moody Centre in order to preserve and enhance the neighbourhood’s heritage character and to provide for continuity between the community’s past and future. The Heritage Conservation Area of this DPA includes the core heritage area west of Kyle Street consisting of multi-family residential, historic commercial, and adaptive commercial uses. The Heritage Character Area encompasses a larger area between Albert St. and Williams St. and consists largely of single family homes with some commercial uses. Both of these areas are illustrated on Map 3.

Also of importance, the City sees this area as one where significant economic growth is possible. In order to encourage this growth, the area needs the ability to attract new residents and businesses by striking a balance between preservation of its heritage character and natural environment, and the facilitation of new development that meets future demand for housing and commercial services.

Much of the commercial activity in Moody Centre has traditionally been comprised of highway commercial uses. The community has expressed a desire to create a more complete community

within Moody Centre to serve the daily needs of residents in this area, reduce reliance on vehicle use and enhance its pedestrian environment. Given the diverse character of Moody Centre, the objectives of this Development Permit Area designation are:

- in the Heritage Character Area, to ensure that high quality redevelopment and rehabilitation promote the economic growth of the area as well as respect the integrity of its historical buildings and encourages a pedestrian-oriented environment;
- to retain the single family character of residential properties when associated with Adaptive Commercial uses;
- to ensure that commercial development contributes to the economic revitalization of the area and the creation of a more complete community, as well as, remaining sensitive to the residential component in mixed-use buildings;
- to ensure that multi-family development respects the character of surrounding low density residential uses through its siting, design and exterior finishings;
- to discourage low density single storey commercial development along St. Johns Street to reduce the commercial “strip” image of the street; and,
- to create a distinctive, pedestrian-friendly residential, shopping, office and cultural district that serves the needs of local residents but also attracts visitors from the region.

## 16.3 DEVELOPMENT PERMIT AREA 3: INLET CENTRE

**Purpose of Designation Category:** Pursuant to subsection 919.1(f) of the Local Government Act, the purpose of this designation is to establish objectives for the form and character of commercial, industrial or multi-family residential development.

**Justification:** This area of the City is a major focus of commercial, institutional, and higher density residential development. Due to its location near the head of Burrard Inlet at the City’s eastern boundary, the area provides a critical linkage between the more established south shore and the newer north shore neighbourhoods. Major public services exist in this developing area including Eagle Ridge Hospital, the Social/Recreation Centre, a fire hall, City Hall/Community Theatre and Library complex, and other community amenities in Inlet Centre.

DPA 3 has experienced considerable growth and development in recent years, with the completion of Newport Village, ongoing development at the Klahanie and Suter Brook areas, and the expansion of the Social/Recreation Centre. The area will continue to see development. The overall objective for DPA 3 is to create an environment of mixed land uses of high-quality design, which will contribute to the creation of a cohesive, identifiable, accessible town centre with a strong pedestrian orientation.

Because of the size and complexity of some of the developments anticipated within DPA 3, these developments must be consistent with both the general design criteria contained herein, and site specific design guidelines established by the developer at the time of rezoning.

## 16.4 DEVELOPMENT PERMIT AREA 4: ENVIRONMENTALLY SENSITIVE AREAS

**Purpose of Designation Category:** Pursuant to subsection 919.1(a) of the Local Government Act, the purpose of this designation is to protect the natural environment, its ecosystems and biological diversity.

**Justification:** An Environmentally Sensitive Area (ESA) Management Strategy study completed in 2003 identifies areas of high and medium sensitivity and recommends that these be designated as Development Permit Areas. Areas noted as Special Features or within the 30 metre stream buffer are considered to be of high sensitivity and are also designated as Development Permit Areas. These areas were identified for one or more of the following reasons:

- they provide critical habitat for protected species;
- they contain watercourses, wetlands, forested riparian areas, and intertidal zone that are recognized for their critical importance for fish and wildlife;
- they are important wildlife corridors;
- they are undeveloped or less intensely developed portions of watersheds with low overall levels of urban development and that drain into fish bearing watercourses;
- they are areas where species at risk (as identified by the provincial Wildlife Act, the federal Species At Risk Act and the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) exist; and,
- they are areas or sites with high species richness or an unusual species assemblage.

The objectives of this designation are to protect public safety and environmentally sensitive areas, as well as, to provide natural amenity areas to the residents of the community. The areas being protected are also expected to promote the economic development of the City as they help create a unique environment.

## 16.5 DEVELOPMENT PERMIT AREA 5: PROTECTION OF DEVELOPMENT FROM HAZARDOUS CONDITIONS

**Purpose of Designation Category:** Pursuant to subsection 919.1(b) of the Local Government Act, the purpose of this designation is to protect development from hazardous conditions.

**Justification:** The section on “Hazardous Lands” in Chapter 6 of the Official Community Plan discusses certain areas of the City where development is subject to above-average risk from natural hazards including:

- susceptibility to soil liquefaction in the event of an earthquake;
- land slippage due to soil erosion on steepland sediments and sloping sites; and

- areas subject to flooding and debris flow during abnormal storm events.

Maps 14 and 15 identify these areas, and Development Permit Area 5 boundaries encompass these lands. Because these natural hazards pose some potential risk of personal injury and property damage, special consideration needs to be given to applications for development on such sites. This is done through a requirement for submission of a geotechnical report, certified by a qualified professional, being a professional engineer or a professional geoscientist with experience or training in geotechnical study and geohazard assessments stating that the subject land may be used safely for the use intended. The geotechnical report will analyze risks specific to the site, including any anticipated adverse effects on the area’s surface water, groundwater, slope stability, erosion or other geotechnical issues affecting development safety and may address the means by which these can be minimized. As part of the geotechnical investigation, pre- and post-development/construction measurements and monitoring shall be undertaken to determine any ground subsidence or lateral movement that may occur.

As part of such applications, the City may also require:

- a) the owner of the land covenant with the City to use the land only in the manner certified by the qualified professional as enabling the safe use of the land for the use intended;
- b) that the covenant contain conditions respecting reimbursement by the owner for any expenses that may be incurred by the municipality as a result of a breach of a covenant under paragraph (a); and
- c) the covenant be registered under section 219 of the Land Title Act.

A development permit must be approved by Council prior to any development proceeding to verify site suitability and identify any necessary safeguards. Responsibility for the safety of any development and liability arising from that development continues to rest exclusively with the property owner and not the City.

Development Permit Area 5 constitutes an “overlay” dealing with protection of development from hazardous conditions, to parts of Development Permit Areas 1, 2 and 3, which deal with the form and character of commercial, industrial or multi-family residential development. As noted in the Development Permit Area 5 guidelines, within that Development Permit Area, only applications requiring a development permit by virtue of their status within Development Permit Areas 1, 2 and 3 are required to apply for such a permit. However, for certain classes of application not requiring a development permit, a geotechnical report may nevertheless be required (see DPA 5 guidelines in Appendix 2 for further details).