



# City of Port Moody

## Report/Recommendation to Council

Date: July 15, 2022  
Submitted by: Community Development Department – Development Planning Division  
Subject: Development Variance Permit (Riparian Protection and Enhancement Area) –  
2304 Henry Street (Satinderjit Wahlla)

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### Purpose

To present for Council's consideration, a Development Variance Permit (DVP) application to vary the Zoning Bylaw to permit to allow the construction of two Detached Accessory Dwellings Units (DADU) within the Riparian Protection and Enhancement Area (RPEA)

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### Recommended Resolution(s)

**THAT Development Variance Permit DVP00012 be approved as recommended in the report dated July 15, 2022 from the Community Development Department – Development Planning Division regarding Development Variance Permit (Riparian Protection and Enhancement Area) – 2304 Henry Street (Satinderjit Wahlla);**

**AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required to issue Development Variance Permit DVP00012.**

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### Background

At the November 13, 2018, Council meeting, Council granted third reading and adoption of City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 7, 2018, No. 3170 to rezone the property at 2304 Henry Street from Single Detached Residential (RS1) to Single Detached Residential Small Lot (RS1-S) to facilitate a subdivision of the existing property into two side-by-side lots.

To enable the proposed subdivision to proceed and to allow for the construction of two detached accessory dwelling units (DADU) with garages on the north side (Hope Street) of the new lots, a Development Variance Permit (DVP) is necessary with regard to section 5.4.5 of the Zoning Bylaw which defines the Riparian Protection and Enhancement Area (RPEA). The requirement of the Zoning Bylaw RPEA ditch setback is that of 5 metres, while the applicant is proposing a 2 metre setback, which meets the provincial minimum RPEA setback. The proponent is also proposing the addition of two driveways onto Hope Street on the north side of the subject property, to create access for the DADU and the removal of the current PVC drainage pipe in an existing ditch along this frontage to allow for a daylighted stream (open ditch) for stormwater

flows. To allow this requested setback reduction and enable the siting of the two proposed DADUs, a draft DVP has been prepared for Council's consideration and is included as **Attachment 1**.

## Discussion

The applicant's site plan at 2304 Henry Street proposes the construction of two Detached Accessory Dwelling Units (DADU) on the north side of the property, with secondary vehicle access from Hope Street through the installation of two driveways along this frontage (**Attachment 2**). These new driveway crossings would be placed over two (2) - 3.7-metre long open bottom culverts. Currently, there is an existing closed bottom PVC pipe that carries drainage water east to west along the north property line of the subject site. The applicant proposes in support of their DVP application to daylight this drainage ditch to offset the requested reduced setback for these new structures. Due to the proposed daylighting of the ditch, the envisioned DADU siting does not meet the Zoning Bylaw requirements, which under section 5.4.5 – Minimum Riparian Management Setbacks ditches requires a 5.0 metre setback for buildings and structures from the top of bank. Therefore, this proposal is requesting a variance from the required 5.0 metres to 2.0 metres. To note, the proposal is meeting the provincial minimum for ditch setbacks and the applicant has completed a Riparian Areas Assessment (RAA) following the Riparian Areas Protection Regulation (RAPR) methodologies for the ditch and has submitted the report to the province, (please refer to the submitted environmental report **Attachment 3**).

The City's environment and engineering staff have reviewed the proposal, and both support the proposed variance and are supportive of the daylighting of the culvert, and the planting plan which offers the removal of invasive plant species to help the establishment of the native vegetation. The applicant has also agreed as part of the servicing agreement that they would upgrade the existing system by connecting the storm sewer from St. George Street to Hope Street a distance of 12 m. A net gain of habitat is expected as a result of the removal of the existing 14 m of closed PVC culvert, installation of two 3.7 m open bottom culverts (total of 7.4 m), and enhancement of the ditch's channel, a total of 6.6 m of daylighted stream will be established along with the addition of high-value native vegetation.

Should Council approve the DVP, it would allow for the following reduced setbacks to be applied:

	<b>RPEA</b>	<b>Proposed</b>
<b>Ditch Setback</b>	<b>5 m</b>	<b>2 m</b>

With these approvals, staff will be able to facilitate the subdivision of the property into two lots and process the eventual building permits for the two DADUS

## Other Option(s)

THAT Council denies issuance of Development Variance DVP00012.

## Financial Implications

None.

## Communications and Civic Engagement Initiatives

In accordance with the notification requirements in the City's Development Approval Procedures Bylaw and in the Local Government Act, notices for the proposed Development Variance Permit for this application were mailed to owners/occupants within 140 metres of the subject site two weeks in advance of the July 26<sup>th</sup> Council meeting date.

## Council Strategic Plan Objectives

This proposal is consistent with the goals of Council's 2019-2022 Strategic Plan related to a Healthy City by planning for a variety of housing types to meet community needs and Environmental Leadership by maintaining and enhancing Port Moody's natural and built assets while reducing the impact on our planet.

## Attachment(s)

1. DRAFT Development Variance Permit - 2304 Henry Street
2. Proposed Site Plan – 2304 Henry Street
3. Environmental Report Weaver Technical – 2304 Henry Street.

## Report Author

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Development Planner (TACT)

## Report Approval Details

Document Title:	Development Variance Permit (Riparian Protection and Enhancement Area) - 2304 Henry Street (Satinderjit Wahlla).docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - DRAFT Development Variance Permit - 2304 Henry Street.pdf</li><li>- Attachment 2 - Proposed Site Plan - 2304 Henry Street.pdf</li><li>- Attachment 3 - Environmental Report Weaver Technical - 2304 Henry Street.pdf</li></ul>
Final Approval Date:	Jul 18, 2022

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

Kate Zanon, General Manager of Community Development - Jul 15, 2022 - 9:45 AM

Lindsay Todd for Rosemary Lodge, Manager of Communications and Engagement -  
Jul 15, 2022 - 11:26 AM

Paul Rockwood, General Manager of Finance and Technology - Jul 17, 2022 - 12:41 PM

Tim Savoie, City Manager - Jul 18, 2022 - 4:30 PM