

Considered at the Council Meeting of July 26, 2022



# City of Port Moody

## Report/Recommendation to Council

Date: July 12, 2022

Submitted by: Community Development Department – Development Planning Division

Subject: Rezoning (RS1-S) – 111 Jacobs Rd (Arben Durmishaj)

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### Purpose

To present for Council consideration a rezoning application to facilitate the subdivision of the property at 111 Jacobs Road into two lots.

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### Recommended Resolution(s)

**THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, 2022, No. 3374 (111 Jacobs Road) (RS1-S) be read a first and second time as recommended in the report dated July 12, 2022 from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 111 Jacobs Road (Arben Durmishaj);**

**AND THAT Council waive the requirement to hold a Public Hearing for Bylaw No.3374**

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### Background

The City has received a rezoning application for 111 Jacobs Road to rezone the existing single-family lot in order to subdivide it into two lots. Before the subdivision application can be considered by the Approving Officer, the current lot must be rezoned from the Single Detached Residential (RS1) Zone to the Single Detached Residential – Small Lot (RS1-S) Zone, as set out in draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No.73, No.3374 included as **Attachment 1**.

### Discussion

#### Subject Site Description

The subject property is approximately 833 m<sup>2</sup> (8961 ft<sup>2</sup>) in size and is located on Jacobs Road, north of loco Road, and west of Kicking Horse Way. A location map is included as **Attachment 2**. The subject property is currently developed with a single-family dwelling, which is proposed to be demolished as part of the subdivision. The existing house was originally constructed in 1977 and is located within the Pleasantside neighbourhood, which is one of the preferred neighbourhoods for the RS1-S Zoning.

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### Neighbourhood Context

As noted above, the subject lot is zoned RS1, as are all of the other directly adjacent properties to the east, west, north, and south (**Attachment 3**). It is further noted that a number of the surrounding properties on most surrounding blocks have possible RS1-S zoning and subdivision potential based on their lot size and width.

### Proposed Subdivision

The requested rezoning will facilitate a subdivision of the existing property into two side-by-side lots. As shown in the following table, the proposed lots comply with the minimum lot width and area requirements for subdivision under the RS1-S Zone and as shown on the proposed site plan as **Attachment 4**.

Regulation	RS1-S Minimum	Proposed Lot 1	Proposed Lot 2
Width	9m (30ft)	10.66m (35ft)	10.67m (35ft)
Area	325m <sup>2</sup> (3,498ft <sup>2</sup> )	413m <sup>2</sup> (4,445ft <sup>2</sup> )	413m <sup>2</sup> (4,445ft <sup>2</sup> )

### Official Community Plan (OCP)

The subject property is designated Single Family Low Density in the OCP (**Attachment 5**). Section 8.6 *Demands for New Forms of Housing* of the OCP sets out the policies for new housing forms, such as “small lot houses” and “smaller houses on smaller lots” and recognizes that a “range of housing choices will continue to be provided for Port Moody’s residents in both newly developing areas of the community and redeveloping neighbourhoods.”

The subject property is within Development Permit Area 4: Environmentally Sensitive Areas, (for areas within Zoning Bylaw setbacks for an unlisted stream). An Environmental report prepared by a Qualified Environmental Professional indicates that the watercourse is a Class B watercourse (provides a significant source or potentially significant sources of food and nutrients to downstream fish populations) and is part of the Wilkes Creek catchment area. The Zoning Bylaw setback for the unlisted creek is 15 m from the top of bank. This includes a 10 m Riparian Protection and Enhancement Area (RPEA) and a 5 m Riparian Transition Area (RTA). A ditch is also located within the road right-of-way along the front of the property which requires a 5 m setback.

### Variance Request

**Attachment 4** shows the proposed site plan with the required riparian setbacks as set out in the Zoning Bylaw.

However, to enable the two-lot subdivision proposal to proceed, two variances to the Zoning Bylaw are being requested by the applicant to accommodate the Streamside Protection and Enhancement Area (SPEA) at the east end of the property:

1. Section 8.5.3(d) – A reduction to the front lot line setback from 6 m to 3.7 m. This would allow the proposed dwellings to be moved forward away from the watercourse and allowing sufficient area for the RPEA.
2. Section 5.4.5 – A reduction in the RPEA area on the south lot line from 15 m to 13.2 m. The applicant is proposing to reduce the setback on one end and increase it on the other to offset the requested partial setback reduction and to achieve an overall no-net loss of the RPEA area.

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Staff recommend that the variances be supported as the proposal aligns with Official Community Plan Policies for watershed health and riparian area protection and meets the intent of the Zoning Bylaw as the flex approach that the applicant is proposing offers no net loss to the Riparian Management Zone.

### Other Option(s)

THAT the rezoning application, as presented in the report dated July 12, 2022, from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 111 Jacobs Road (Arben Durmishaj), be revised.

### Financial Implications

In accordance with the City's Community Amenity Contribution (CAC) Program, the applicant has volunteered to provide a CAC of \$6,000. Submission of the CAC would be provided to the City prior to Council consideration of final adoption of the Zoning Amendment Bylaw No. 3374.

### Communications and Civic Engagement Initiatives

City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 exempts RS1-S (Small Lot) rezoning applications from the requirement to seek the Land Use Committee's and the Advisory Design Panel's review and recommendation. In accordance with s.464 of the Local Government Act, a local government may waive the holding of a public hearing on a proposed zoning bylaw if certain conditions are met. In November of 2021, Council passed a motion to waive the requirement to hold public hearings for RS1-S (small lot subdivision) zoning bylaw amendment applications. Notice of the waiver for this particular application will be sent to all individual property owners/residents within the notification area and a notification will be posted in the newspaper alerting of the waiver.

### Council Strategic Plan Objectives

The 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.

### Attachment(s)

1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, 2022, No. 3374 (111 Jacobs Road) (RS1-S).
2. Location Map - 111 Jacobs Road
3. Zoning Map - 111 Jacobs Road
4. Site Plan - 111 Jacobs Road
5. OCP Map - 111 Jacobs Road

### Report Author

Andrei Pop, BA, MPA  
Development Planner

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### Report Approval Details

Document Title:	Rezoning (RS1-S) - 111 Jacobs Road (Arben Durmishaj).docx
Attachments:	<ul style="list-style-type: none"><li>- Attachment 1 - Draft Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, 2022, No. 3374 (111 Jacobs Road) (RS1-S).pdf</li><li>- Attachment 2 - Location Map -111 Jacobs Road.pdf</li><li>- Attachment 3 - Zoning Map - 111 Jacobs Road.pdf</li><li>- Attachment 4 - Site Plan - 111 Jacobs Road.pdf</li><li>- Attachment 5 - OCP Map - 111 Jacobs Road.pdf</li></ul>
Final Approval Date:	Jul 19, 2022

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

Kate Zanon, General Manager of Community Development - Jul 12, 2022 - 10:13 PM

Lindsay Todd for Rosemary Lodge, Manager of Communications and Engagement -  
Jul 13, 2022 - 2:05 PM

Paul Rockwood, General Manager of Finance and Technology - Jul 13, 2022 - 3:26 PM

Tim Savoie, City Manager - Jul 19, 2022 - 10:38 AM

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# City of Port Moody

## Bylaw No. 3374

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to allow for a small lot subdivision at 111 Jacobs Road.

The Council of the City of Port Moody enacts as follows:

### 1. Citation

- 1.1 This Bylaw may be cited as "City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, 2022, No. 3374 (111 Jacobs Road) (RS1-S)".

### 2. Amendments

- 2.1 City of Port Moody Zoning Bylaw, 2018, No. 2937 is amended by rezoning the following land from Single Detached Residential Zone (RS1) to Single Detached Residential – Small Lot Zone (RS1-S):

Lot 25, Plan NWP12483, District Lot 350, New West District Group 1

PID: 009-707-301

as shown on the map in Schedule A of this Bylaw.

### 3. Attachments and Schedules

- 3.1 The following schedule is attached to and forms part of this Bylaw:

- Schedule A – Location Map.

### 4. Severability

- 4.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**Read a first time** this \_\_\_ day of \_\_\_\_, 2022.

**Read a second time** this \_\_\_ day of \_\_\_\_, 2022.

**Read a third time** this \_\_\_ day of \_\_\_\_, 2022.

**Adopted** this \_\_\_ day of \_\_\_\_, 2022.

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R. Vagramov  
Mayor

T. Takahashi  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3374 of the City of Port Moody.

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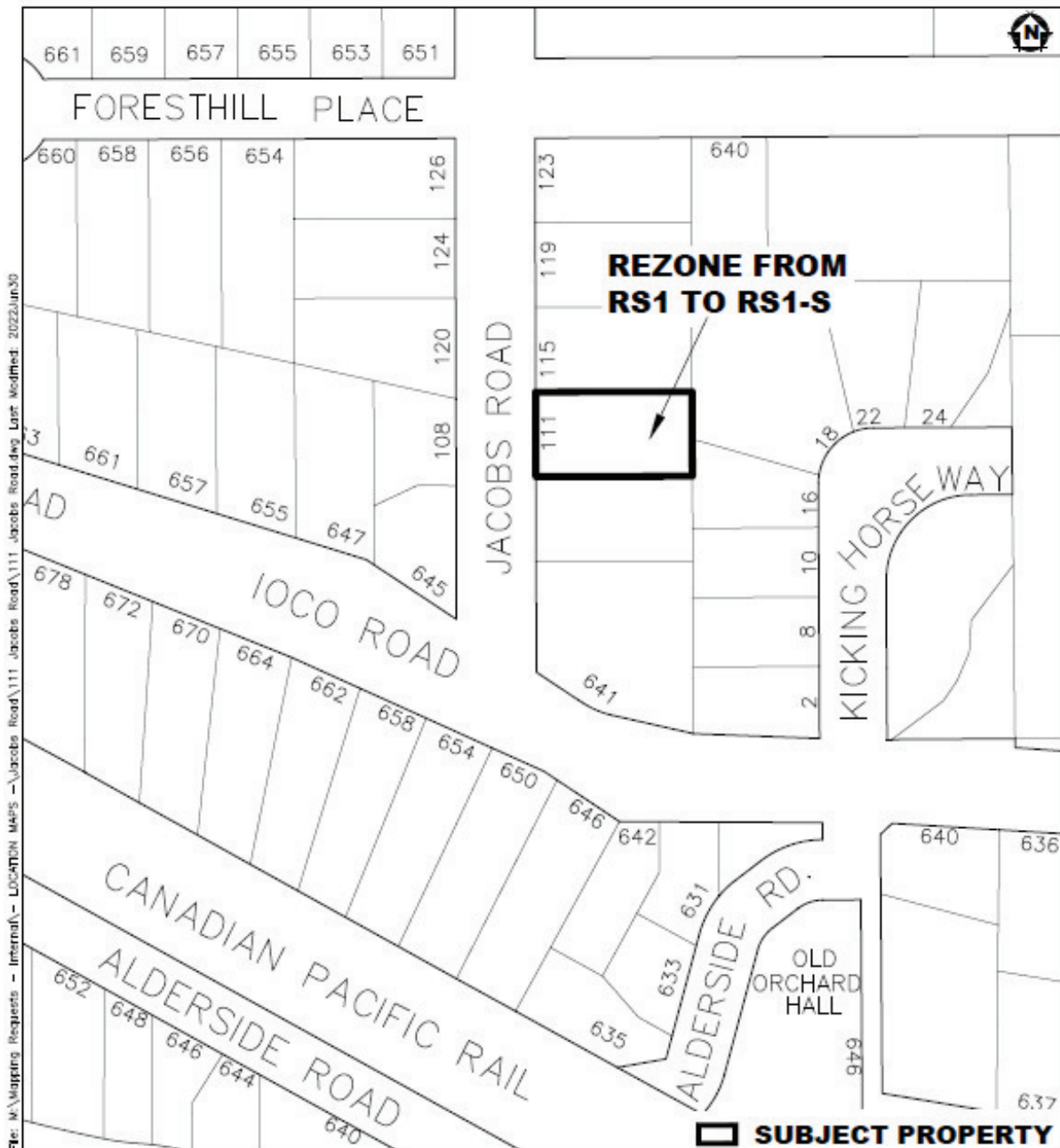
T. Takahashi  
Corporate Officer

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## Schedule A – Location Map

This is a certified true copy of the map referred to in section 2 of City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, 2022, No. 3374 (111 Jacobs Road) (RS1-S).

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



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## LOCATION MAP - 111 Jacobs Road

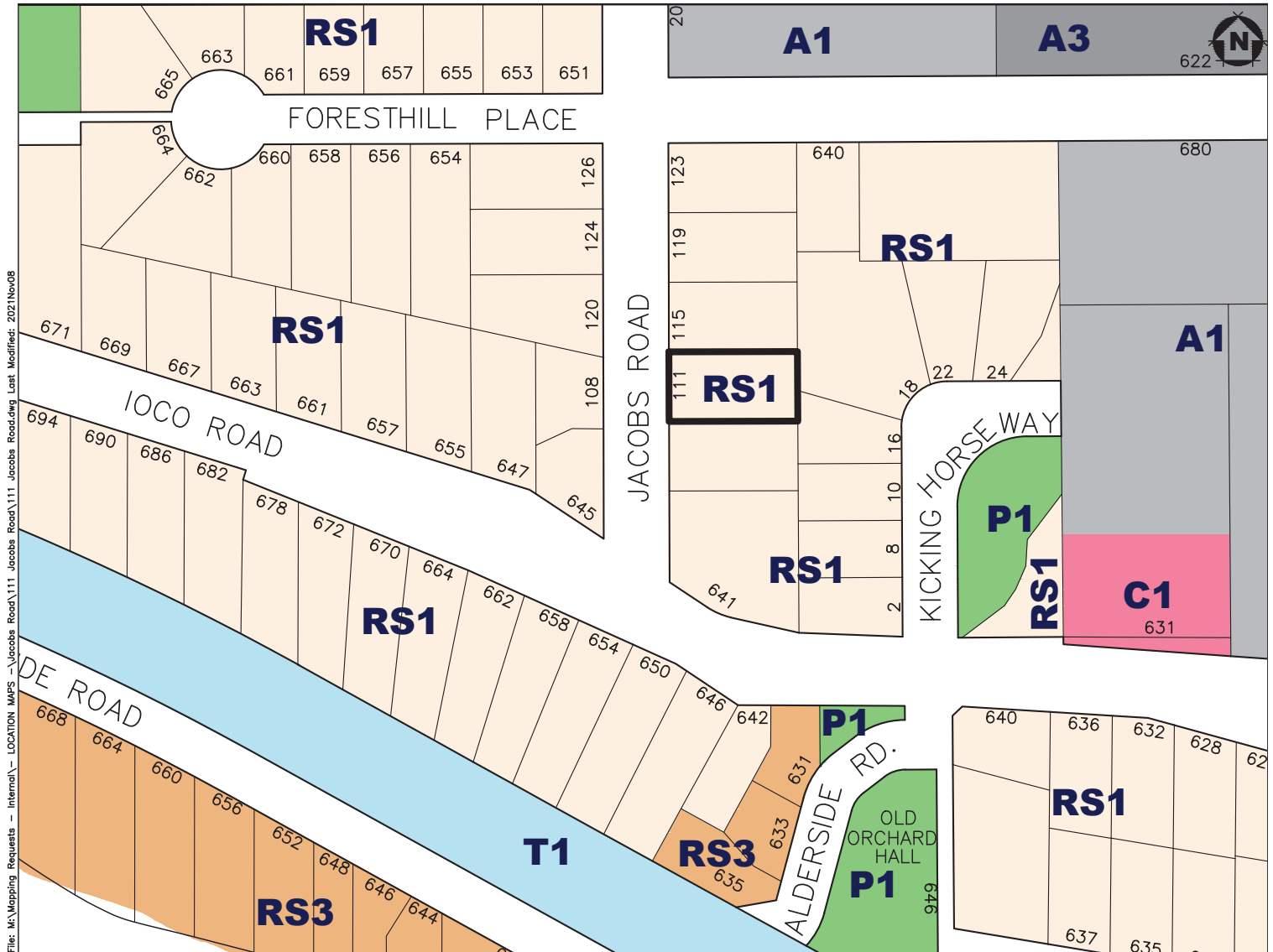
 **SUBJECT PROPERTY**





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# ZONING MAP - 111 Jacobs Road

 **SUBJECT PROPERTY**

**PLAN VIEW**  
SCALE: 1:200

**PROJECT NAME:**  
2 LOT RESIDENTIAL SUBDIVISION  
111 JACOBS RD, PORT MOODY, V3H 2Z8

**CLIENT:**  
RL, LS, HG, AD

**SHEET TITLE:**  
EAST WATERCOURSE SETBACK DETAILS

REV.	Description	Date
1	ISSUED FOR SUBDIVISION APPLICATION	2022-05-13
2	ISSUED FOR SUBDIVISION APPLICATION	2022-05-24
3	ISSUED FOR SUBDIVISION APPLICATION	2022-06-06

AREA	WATERSHED	STREAM	RIPIARIAN PROTECTION AND ENHANCEMENT AREA (RPEA) (m)	RIPIARIAN TRANSITION AREA (RTA) (m)
1	ALL	UNLISTED STREAMS CLASSIFICATION B IN ACCORDANCE WITH CITY'S OCP	10.0	5.0
2	SHORES	DITCHES	≥ 5.0	0.0

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## *Land Use Designations - 111 Jacobs Road*

