



City of Port Moody

Report/Recommendation to Council

Date: November 7, 2022
Submitted by: Community Development Department – Development Planning Division
Subject: Rezoning (RS1-S) – 988 Seaforth Way (Cole Shafer) – First, Second Reading

Purpose

To present for Council consideration a rezoning application to facilitate the subdivision of the property at 988 Seaforth Way into three lots.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, 2022, No.3386 (988 Seaforth Way) (RS1-S) be read a first and second time as recommended in the report dated November 7, 2022, from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 988 Seaforth Way (Cole Shafer) – First, Second Reading;

AND THAT Bylaw No.3386 be referred to a Public Hearing.

Background

The City has received a rezoning application for 988 Seaforth Way to rezone the existing single-family lot in order to subdivide it into three lots.

On June 28, 2022, Council passed the following resolutions on consent following staff recommendations:

RC22/204 - THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 72, 2022, No. 3370 (988 Seaforth Way) (RS1-S) be defeated as recommended in the report dated June 10, 2022 from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 988 Seaforth Way (Cole Shafer);

AND THAT Council direct the applicant to pursue a two-lot subdivision as directed by staff.

At the subsequent July 12, 2022, committee of the whole meeting, Council passed the following three resolutions:

RC22/231 - THAT the following resolution be reconsidered as recommended in the memo dated July 4, 2022 from the Legislative Services Division regarding Referral for Reconsideration – Rezoning (RS1-S) – 988 Seaforth Way (Cole Shafer):

RC22/232

THAT the applicant be given an opportunity to present his proposal.

RC22/238

THAT the waiting period and associated re-submission fees be waived for this application on the condition that the next revision respects the City’s environmental setbacks.

The applicant has come back with a site plan which shows no net loss to the Riparian Protection and Enhancement Area (RPEA) see **Attachment 2**

Discussion

Subject Site Description

The subject property is approximately 2,030 m² (21,852 ft²) in size and is located on Seaforth Way, South of Clarke Rd and North of Hillside Park and Port Moody Secondary School. A location map is included in **Attachment 3**. There is currently a single-family dwelling on the subject property, which is proposed to be demolished as part of the subdivision. The existing house was originally constructed in 1962 and has no heritage value.

Zoning

The subject lot is zoned RS1, as shown on the zoning map in **Attachment 4**, as are all other directly adjacent properties to the east, west, and north. Lots on the 900 block and 1000 block of Seaforth Way to the east and west of the subject property have varying frontage widths, ranging from 12m (39.4ft) to 31m (101.7ft). All lots back onto South Schoolhouse Creek.

Proposed Subdivision

The proposal envisages the subdivision of the existing lot into three side-by-side lots. As shown in the following table, the proposed lots would comply with the minimum lot width and area requirements for subdivision under the RS1-S Zone.

Regulation	RS1-S Minimum	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3
Width	9m (30ft)	10.50m (34.4ft)	10.50m (34.4ft)	10.50m (34.4ft)
Area	325m ² (3,498ft ²)	663.3m ² (7,140ft ²)	675.6m ² (7,272ft ²)	691.8m ² (7,446ft ²)

Official Community Plan (OCP)

The subject property is designated Single Family Low Density in the OCP; an OCP designation map is included as **Attachment 5**. Small Lot Subdivisions are supported in the OCP’s Housing chapter. Specifically, Section 8.6 Demands for New Forms of Housing 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 community and redeveloping neighbourhoods.”

The subject property is within Development Permit Area 4: Environmentally Sensitive Areas (for areas within Zoning Bylaw setbacks for South Schoolhouse Creek) and Development Permit Area 5: Hazardous lands (for steep slopes >20%; and steepland sediments).

South Schoolhouse Creek supports fish populations, including coho salmon, chum salmon and cutthroat trout and is additionally an important wildlife corridor. The South Schoolhouse Creek watershed and ravine are steep and prone to slope failure. As such, the Zoning Bylaw setback for this reach of South Schoolhouse Creek is 20m (65.6ft), measured from the top of bank. This includes a 15m (49.2ft) Riparian Protection and Enhancement Area (RPEA) and a 5m (16.4ft) Riparian Transition Area (RTA).

Variance Request

In July of this year, the applicant proposed a site plan with a flexed approach which would result in a loss of riparian area of 100 m² (1,076.4 ft²). Following the earlier consideration of this application, the applicant was able to re-work the site plan to reduce that number to a no net loss in the Riparian Management Zone (RMZ). **Attachment 2** contains a proposed site plan with a flexed approach which shows a no net loss of riparian area. The proposed layout requires a minor encroachment into the Riparian Transition Area (RTA); however, a no net loss of RTA is anticipated as the applicant has expanded the RTA in another area.

To facilitate the proposed construction, a development variance permit will be required, which is subject to a future report that staff will bring forth for Council consideration after the notification requirements have been fulfilled. Staff are supportive of a RTA flex approach with no net loss, as this approach respects the natural topographic features on the site, meets the intent of the riparian zone while allowing development to occur. The site plan proposed meets the intent of the Zoning Bylaw setback. A variance is required though as the current regulation requires a flex approach to be approved as a variance.

The applicant will be seeking the following variances:

1. Section 8.5.3(d) – A reduction to the front lot line setback from 6 m to 4.8 m. This would allow the proposed dwellings to be moved forward away from the watercourse and allow sufficient area for the RPEA at the rear of the three proposed lots.
2. Section 5.4.5 – A reduction in the RTA area from 5 m to 2.3 m. The applicant is proposing to reduce the setback at 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.

Staff recommend that the variances be supported as the proposal aligns with the Official Community Plan policies for watershed health and riparian area protection and meets the intent of the Zoning Bylaw. Other Development Permit Area 4 Guidelines will also apply including restoration planting, invasive species removal, installation of protective fence, and registration of a restrictive covenant.

Other Option(s)

THAT the rezoning application, as presented in the report dated November 7, 2022, from the Community Development Department – Development Planning Division regarding Rezoning (RS-1S) – 988 Seaforth Way (Cole Shafer) – First, Second Reading, be revised.

Financial Implications

In accordance with the City's Community Amenity Contribution (CAC) Program, the applicant has volunteered to provide a CAC of \$12,000. 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.

A notification sign informing the public of the rezoning application has been placed on the subject site in accordance with City of Port Moody Development Approval Procedures Bylaw, 2021, No. 3312.

If the rezoning application is given first and second readings, the public will have an opportunity to comment at the Public Hearing, which will occur following a mail-out notification to adjacent residents, an advertisement placed in the local newspaper, and a decal of the Public Hearing time and date placed on the notification sign.

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. 3386 (988 Seaforth Way) (RS1-S)
2. Site Plan - 988 Seaforth Way
3. Location Map - 988 Seaforth Way
4. Zoning Map - 988 Seaforth Way
5. OCP Map - 988 Seaforth Way

Report Author

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Report Approval Details

Document Title:	Rezoning (RS1-S) – 988 Seaforth Way (Cole Shafer) - First, Second Reading.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft Port Moody Zoning Bylaw, No 2937, Amendment No. 73, 2022, No. 3386 (988 Seaforth Way) (RS1-S).pdf- Attachment 2 - Site Plan - 988 Seaforth Way.pdf- Attachment 3 - Location Map - 988 Seaforth Way.pdf- Attachment 4 - Zoning Map - 988 Seaforth Way.pdf- Attachment 5 - OCP Map - 988 Seaforth Way.pdf
Final Approval Date:	Nov 14, 2022

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

Kate Zanon, General Manager of Community Development - Nov 10, 2022 - 10:29 AM

Stephanie Lam, City Clerk and Manager of Legislative Services - Nov 10, 2022 - 11:27 AM

Rosemary Lodge, Manager of Communications and Engagement - Nov 13, 2022 - 2:16 PM

Paul Rockwood, General Manager of Finance and Technology - Nov 13, 2022 - 6:44 PM

Tim Savoie, City Manager - Nov 14, 2022 - 12:46 PM