



City of Port Moody

Report/Recommendation to Council

Date: November 29, 2022
Submitted by: Community Development Department – Development Planning Division
Subject: Rezoning (RS-1S) – 1008 Tuxedo Drive (CityState Consulting)

Purpose

To present for Council consideration a rezoning application to facilitate subdivision of the property at 1008 Tuxedo Drive into two lots.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 76, 2022 No. 3388 (1008 Tuxedo Drive) (RS1-S) be read a first and second time as recommended in the report dated November 29, 2022 from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 1008 Tuxedo Drive (CityState Consulting);

AND THAT Bylaw No. 3388 be referred to a Public Hearing.

Background

The City has received a rezoning application for 1008 Tuxedo Drive 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. 76, 2022 No. 3388 included as **Attachment 1**.

Discussion

Subject Site Description

The subject property is approximately 804 m² (8,650 ft²) in size and is located on Tuxedo Drive, north of Mount Royal Drive and west of Clarke Road. The property is currently developed with a single-family dwelling, which is proposed to be demolished as part of the subdivision. The site slopes downward from west to east, with a total grade change of 8 m (26.2 ft) between the property lines, which yields an overall grade change of 20%. The existing house was originally constructed in 1967 and is not listed in the City's Heritage Register. The subject property is located within a single-family residential neighbourhood composed mainly of single-family dwellings on similar lot sizes to the existing lot. A location map is provided as **Attachment 2**.

Official Community Plan (OCP)

The OCP designates the subject lot as Single-Family Low Density (**Attachment 3**). The OCP's Housing chapter supports small lot subdivisions under this land use designation. Specifically, section 8.6 "Demands for New Forms of Housing," sets out several 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 in redeveloping neighbourhoods." It is noted that surrounding properties on the subject block and on the majority of surrounding blocks are identified as having RS1-S zoning and subdivision potential.

Should the rezoning be approved, minor Development Permits to be approved by staff will be required to address form and character (DPA 7) for the Detached Accessory Dwelling Unit (DADU) proposed as part of this application and relating to hazardous conditions (DPA 5) for hazardous conditions due to potential steep slope hazards.

Zoning

As noted, the subject lot is currently zoned RS1, as shown on the zoning map in **Attachment 4**. While the majority of lots surrounding the subject property are also zoned RS1, there are some duplexes in the area which are zoned Semi-Detached Residential (RT).

Proposed Subdivision

The proposal involves the subdivision of the existing property into two side-by-side lots, as shown in the site plan included as **Attachment 5**. The following table shows the proposed lots when compared with the minimum lot width and area requirements under the RS1-S Zone.

Regulation	RS1-S Minimum	Proposed Lot 1	Proposed Lot 2
Width	9 m (29.5 ft)	10.25 m (33.63 ft)	9.86m (32.35 ft)
Area	325 m ² (3,498 ft ²)	410 m ² (4,413 ft ²)	394 m ² (4,240 ft ²)

Tree Removal

The subject property currently has four on-site trees and 22 City trees on the adjoining boulevard, all of which are proposed to be removed to enable the site servicing requirements and the construction envisioned under the proposed site plan. In accordance with the City of Port Moody Tree Protection Bylaw 2015, No. 2961, a tree removal permit will be required as a condition of the subdivision approval. Trees removed will need to be replaced at a 2:1 ratio. Given the limited growing space both on and off-site, a cash-in-lieu contribution at 2:1 is required for compensation for any trees that cannot be replaced in those areas. The applicant has agreed to plant three new trees for each new lot and provide a cash-in-lieu contribution for any replacement trees that cannot be planted on or off-site. The arborist report and letter from the applicant is included as **Attachment 6**.

Furthermore, the arborist report notes that five neighbouring trees on private property may be affected due to the proposed construction. As these are significant trees requiring a large, protected area, staff will be requiring a "comfort letter" be provided by the contracted arborist as part of the subdivision approval process. The letter shall confirm that there will be arborist supervision for any required work in the tree-protection zone; additionally, a follow-up letter must

be submitted to the City within a week confirming the satisfactory completion of the work without impacts of these neighboring, significant trees; within the tree-protection zone.

Servicing Improvements

The applicant will need to update both frontages as part of the Development Servicing Bylaw No. 2831 requirements. Tuxedo Drive will have a new sidewalk, boulevard, street trees and street lighting installed, and Stein Lane will have full lane width improvements and a widened turnaround, as shown on the proposed civil drawings in **Attachment 7**.

Step Code

The City's BC Energy Step Code Rezoning Applications Policy encourages applicants to achieve a building Step Code standard higher than that prescribed under the Building and Plumbing Code Bylaw. If agreed to, the higher building standard would be secured by registering a restrictive covenant on the title of the property. At this time, the applicant has noted that they cannot commit to meet achieving a higher step code level, but they will achieve the minimum Step 3 as required by Bylaw.

Implementation

To facilitate the proposed subdivision, draft Bylaw No. 3388 would rezone the subject property from RS1 to RS1-S. If the rezoning bylaw is adopted, the Approving Officer will then consider the subdivision plan.

Other Option(s)

1. THAT the rezoning application, as presented in the report dated November 29, 2022 from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 1008 Tuxedo Drive (CityState Consulting) be revised.
2. THAT the rezoning application, as presented in the report dated November 29, 2022 from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 1008 Tuxedo Drive (CityState Consulting) be denied.

Financial Implications

In accordance with the City's Community Amenity Contribution (CAC) Program, the applicant has volunteered to provide a CAC of \$6,000. Payment of the CAC would be made to the City prior to final adoption of the bylaw.

Communications and Civic Engagement Initiatives

City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 exempts RS1-S rezoning applications from the requirement to seek Land Use Committee's and Advisory Design Panel's review and recommendation. Should the rezoning application be 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 ad placed in the local newspaper, and a decal placed on the application notification sign that has been posted on the subject property.

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 Port Moody Zoning Bylaw Amendment Bylaw No.76 2022 No.3388 (1008 Tuxedo Drive) (RS1-S)
2. Location Map – 1008 Tuxedo Drive
3. OCP Map – 1008 Tuxedo Drive
4. Zoning Map – 1008 Tuxedo Drive
5. Site Plan – 1008 Tuxedo Drive
6. Arborist Report, Planting Commitment – 1008 Tuxedo Drive
7. Civil Design – 1008 Tuxedo Drive

Report Author

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Report Approval Details

Document Title:	Rezoning (RS-1S) - 1008 Tuxedo Drive (CityState Consulting).docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft Port Moody Zoning Bylaw Amendment Bylaw No.76 2022 No.3388 (1008 Tuxedo Drive) (RS1-S).pdf- Attachment 2 - Location Map – 1008 Tuxedo Drive.pdf- Attachment 3 - OCP Map - 1008 Tuxedo Drive.pdf- Attachment 4 - Zoning Map - 1008 Tuxedo Drive.pdf- Attachment 5 - Site Plan - 1008 Tuxedo Drive.pdf- Attachment 6 - Arborist Report, Planting Commitment – 1008 Tuxedo Drive.pdf- Attachment 7 - Civil Design - 1008 Tuxedo Drive.pdf
Final Approval Date:	Dec 5, 2022

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

Kate Zanon, General Manager of Community Development - Nov 30, 2022 - 9:20 AM

Rosemary Lodge, Manager of Communications and Engagement - Nov 30, 2022 - 2:30 PM

Paul Rockwood, General Manager of Finance and Technology - Nov 30, 2022 - 2:33 PM

Tim Savoie, City Manager - Dec 5, 2022 - 9:08 AM