



City of Port Moody

Report/Recommendation to Council

Date: December 21, 2022
Submitted by: Community Development Department – Development Planning Division
Subject: Development Variance Permit – 988 Seaforth Way (Cole Shafer)

Purpose

To present for Council consideration, a Development Variance Permit (DVP) application to vary the Zoning Bylaw, 2018, No.2937 to facilitate the construction of three single family dwellings in connection with a rezoning application through variances to the Front Lot Line Setback and the Riparian Transition Area (RTA) setback.

Recommended Resolution(s)

THAT Development Variance Permit DVP00011 be approved as recommended in the report dated December 21, 2022, from the Community Development Department – Development Planning Division regarding Development Variance Permit (DVP00011) – 988 Seaforth Way (Cole Shafer);

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required to issue the Development Variance Permit (DVP00011).

Background

At the Regular Council meeting held on November 22, 2022, Council gave first and second readings to City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 73, No. 3386 to rezone the property at 988 Seaforth Way from Single Detached Residential (RS1) to Single Detached Residential – Small Lot (RS1-S) to facilitate a subdivision of the existing property into three lots.

To enable the three-lot subdivision proposal to proceed, two variances to Zoning Bylaw, 2018, No. 2937 are being requested by the applicant to accommodate the Riparian Protection and Enhancement Area (RPEA) at the rear of the property:

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 riparian transition area (RTA) area from 5 m to 2.3 m. The applicant is proposing to reduce the setback at one end and increase it at the other to offset the requested partial setback reduction and to achieve an overall no-net loss of the RPEA area.

To allow this requested setback reduction and enable the siting of the three proposed houses, a draft DVP has been prepared for Council's consideration and is included as **Attachment 1**. A site plan is attached as Schedule "A" to the draft DVP illustrating the two requested variances.

Discussion

The subject property is within Development Permit Area 4: Environmentally Sensitive Areas (for Areas within Zoning Bylaw setbacks for South Schoolhouse Creek).

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).

The applicant and his QEP have worked with staff to reduce the front lot line setback (6 m to 4.8 m) and refined the site plan to accommodate a no-net loss in the RTA. By using a flex approach, the applicant is reducing the required RTA setback in one area and providing more RTA in another section of the site as an offset to achieve an overall no-net loss. Please refer to the proposed site plan in **Attachment 2**.

The City's environment and engineering staff have reviewed the proposal and support the proposed variances. The proposal aligns with Official Community Plan policies for watershed health and riparian area protection and meets the intent of the Zoning Bylaw. The flex approach the applicant is proposing offers an overall no-net loss to the Riparian Management Zone which include both the RPEA and RTA. Other Development Permit Area 4 Guidelines will also apply, including restoration planting, invasive species removal, installation of a protective fence, and registration of a restrictive covenant.

This project also meets section 8.6, *Demands for New Forms of Housing* in the OCP which 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."

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

	Zoning Bylaw Requirements	Proposed
Front Yard Setback	6 m	4.8 m
Riparian Transition Area	5 m	2.3 m

Other Option(s)

THAT Council denies issuance of Development Variance DVP00011.

Financial Implications

There are no financial implications associated with this report.

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 January 10, 2023, 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.

Attachments

1. DRAFT Development Variance Permit – 988 Seaforth Way.
2. Proposed Site Plan – 988 Seaforth Way.

Report Author

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Development Planner

Report Approval Details

Document Title:	Development Variance Permit - 988 Seaforth Way (Cole Shafer).docx
Attachments:	- Attachment 1 - DRAFT Development Variance Permit - 988 Seaforth Way.pdf - Attachment 2 - Proposed Site Plan - 988 Seaforth Way.pdf
Final Approval Date:	Dec 23, 2022

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

Kate Zanon, General Manager of Community Development - Dec 21, 2022 - 2:43 PM

Stephanie Lam, City Clerk and Manager of Legislative Services - Dec 21, 2022 - 2:53 PM

Lindsay Todd, Acting Manager of Communications and Engagement - Dec 21, 2022 - 3:27 PM

Paul Rockwood, General Manager of Finance and Technology - Dec 21, 2022 - 9:25 PM

Tim Savoie, City Manager - Dec 23, 2022 - 10:32 AM