

# City of Port Moody Report/Recommendation to Council

Date: October 24, 2023

Submitted by: Community Development Department – Development Planning Division Subject: Rezoning (RS1-S) – 3337 Viewmount Drive (Viatcheslav Chouliak, Tatiana

Chouliak)

### **Purpose**

To present for Council consideration a rezoning application to facilitate the subdivision of the property at 3337 Viewmount Drive to allow for two lots.

### Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 87, 2023, No. 3431 (3337 Viewmount Drive) (RS1-S) be read a first and second time as recommended in the report dated October 24, 2023, from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 3337 Viewmount Drive (Viatcheslav Chouliak, Tatiana Chouliak);

AND THAT Bylaw No. 3431 not be referred to a Public Hearing.

### Background

The City has received a rezoning application for 3337 Viewmount Drive to rezone the existing single-family lot to facilitate a subdivision that would create two lots. Before the subdivision application can be considered by the Approving Officer, the current property must be rezoned from Single Detached Residential (RS1) to Single Detached Residential – Small Lot (RS1-S), as set out in draft Bylaw No. 3431 (Attachment 1).

A Development Variance Permit is also required as the proposed small car parking space and the proposed setback for accessory buildings on one side of each proposed lot along Taseko Lane do not meet the minimum requirements as per the Zoning By-law. The variance is required to accommodate three parking spaces per lot along the lane.

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### Discussion

### **Subject Property**

The subject property is located in the Moody Centre neighbourhood with frontage along Viewmount Drive and rear access from Taseko Lane (**Attachment 2**) and is approximately 781m² (8,403 ft²) in size. There is currently a single-family dwelling unit located at 3337 Viewmount Drive, which would be required to be demolished and removed to accommodate the proposed subdivision.

#### Official Community Plan (OCP)

The OCP designates the subject property for Single Family Low Density uses (**Attachment 3**), which is consistent with the proposed RS1-S rezoning. Small lot subdivisions are supported in the OCP's Housing chapter; specifically, section 8.6 "Demands for New Forms of Housing" that provides policy guidance 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".

#### <u>Zoning</u>

As noted above, the subject property is currently zoned Single Detached Residential (RS1) (**Attachment 4**).

#### **Neighbourhood Context**

The surrounding properties to the north, east, and west are composed of single-family dwellings. Single-family dwellings are also developed to the south and are located in the City of Coquitlam with no direct vehicular access.

#### **Proposed Subdivision**

The application to rezone the subject property from RS1 to RS1-S zone will facilitate a future subdivision to create two side-by-side lots. A draft subdivision plan is included in **Attachment 5**. As shown in the following table, the proposed lots would comply with the minimum lot width and lot area requirements of the RS1-S zone.

Regulation(s)	RS1-S Requirement	Lot 1 – Proposed	Lot 2 - Proposed
Lot Width	9 m (29.53 ft)	9.14 m (30.00 ft)	9.14 m (30.00 ft)
Lot Area	325 m <sup>2</sup> (3,498 ft <sup>2</sup> )	390.33 m <sup>2</sup> (4201.47 ft <sup>2</sup> )	390.33 m <sup>2</sup> (4201.47 ft <sup>2</sup> )

#### Variance Request:

**Attachment 5** shows the proposed site plan with two lots – each designed with a primary dwelling unit, a secondary dwelling unit, a detached double garage for two enclosed "Standard" car parking spaces, and one open "Small Car" parking space. The proposal requires a minimum of three car parking spaces per lot to comply with each dwelling unit's parking requirements as set out in the Zoning Bylaw. However, to enable the two-lot subdivision proposal to proceed, two variances to the Zoning Bylaw are requested by the applicant for each lot. These variances are for a side setback variance pet lot and a small car parking width per lot, in order to accommodate two enclosed "Standard" car parking spaces and one open "Small Car" parking per lot along Taseko Lane.

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As of the recently adopted City of Port Moody Development Approval Procedures (DAP) Bylaw, 2023, No. 3417, staff are delegated to amend, issue, or refuse a minor Development Variance Permit that requests a variance of no more than 20 percent of any Zoning By-law regulation. An owner who is not satisfied with a staff-delegated decision on a variance may proceed to have Council reconsider within the conditions of the DAP Bylaw.

### RS1-S Zoning requirements:

Туре	Proposed	RS1-S Required	Action	Variance Change	Delegated Authority for Approval
Small Car Parking width (Lot 1 & Lot 2)	2.42m	2.6m	Variance required	7%	Staff
Side setback on the west side of Lot 1	0.72m	0.9m	Variance required	20%	Staff
Side setback on the east side of Lot 2	0.72m	0.9m	Variance required	20%	Staff

#### Servicing Improvements

The applicant will need to update the frontage of Viewmount Drive and Taseko Lane in accordance with the Development Servicing Bylaw, 2010, No. 2831 requirements. Viewmount Drive will have frontage improvements including a new sidewalk, full-width paving for disturbed areas, street trees, and street lighting installed. Old on-site sanitary and drainage services will be replaced with new infrastructure, and new water service connections will be installed on Viewmount Drive. There is no need for the watermain service to be replaced along Viewmount Drive unless the owner/developer wants.

As per Section 6.8 of the City of Port Moody "Zoning Bylaw No. 2937", no driveway access is permitted on Viewmount Drive, and driveway access will only be on Taseko Lane. Taseko Lane will also have the frontage improvements including a 6m paved width along the lane without disturbing the sanatory main owned by the City of Coquitlam on it. As the rear of the lot is not within 100m of a municipal fire hydrant, a covenant as a condition of subdivision should be registered on title restricting the construction of detached accessory dwelling units (DADU) per lot until the minimum fire department requirements for emergency response are met.

### Tree Removal

As per the arborist report prepared by Klimo & Associates Ltd., dated August 30, 2023, there are 21 on-site trees and five city trees that could be impacted by the proposed construction. Of these total 26 trees, ten on-site and all five city trees are proposed for removal and the remaining 11 on-site trees will be retained. The applicant is proposing to remove all five city trees along Viewmount Drive to provide access for installing necessary services.

Furthermore, 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 subdivision approval, and the trees removed will need to be replaced at a 2:1 ratio. Thus, a total of 30 replacement trees are required owing to the removal of a total of 15 trees. However, the applicant has proposed only nine replacement trees on the property. The remaining required 21 replacement trees are proposed by the applicant to be paid as a cash-in-lieu contribution to the City. The applicant has agreed to provide a cash-in-lieu contribution for any replacement trees that cannot be planted on-site. The cash-in-lieu assurance letter dated August 14, 2023, is included as **Attachment 6**.

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#### Step Code

The City's BC Energy Step Code Rezoning Applications Policy, 2019, encourages applicants to achieve a Building Step Code standard higher than what is prescribed under the BC Building and Plumbing Code Bylaw. The applicant has noted that they will achieve Step 4 of the Energy Step Code as per the Energy Step Code Rezoning Applications Policy and has already submitted the Energy Step Code Letter signed by a Registered Energy Advisor from Airtight Energy Reports Ltd., dated April 13, 2023. The Energy Step Code letter is included in **Attachment 7.** 

#### Implementation

To facilitate the proposed subdivision, draft Bylaw No. 3431 would rezone the subject property from the RS1 to RS1-S zone. If the rezoning bylaw is adopted, the Approving Officer will then consider the Development Variance Permit and the subdivision plan.

### Other Option(s)

- THAT the rezoning application, as presented in the report dated October 24, 2023, from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 3337 Viewmount Drive (Viatcheslav Chouliak, Tatiana Chouliak), be revised.
- THAT the rezoning application, as presented in the report dated October 24, 2023, from the Community Development Department – Development Planning Division regarding Rezoning (RS1-S) – 3337 Viewmount Drive (Viatcheslav Chouliak, Tatiana Chouliak), be denied.

# Financial Implications

In accordance with the City's Community Amenity Contribution (CAC) Program Policy, 2017, the applicant has volunteered a CAC of \$6,000 to offset the financial burden that residential development imposes on the City to fund new facilities and/or amenities. Payment of the CAC would be made to the City prior to Council consideration of the final adoption of the Zoning Amendment Bylaw, No. 3431.

# Communications and Civic Engagement Initiatives

A notification sign on the front of the subject property has been installed, and the Public Hearing meeting information section of the posted sign is amended to inform the Public regarding the waiver of Public Hearing in advance of the first reading consideration. In addition, the City of Port Moody Development Approval Procedures (DAP) Bylaw, 2023, No. 3417, exempts RS1-S (Small Lot) rezoning applications from the requirement to seek the Land Use Committee's review and recommendation, and the requirement of a Public Hearing. The notice of waiver of Public Hearing is mailed within the 140m notification area of the subject property in advance of first reading consideration in accordance with the DAP Bylaw and Section 467 of the Local Government Act.

# Council Strategic Plan Goals

The recommendations in this report align with the following 2023-2026 Council Strategic Plan Goal(s):

 Strategic Goal 3.1 – Create complete and connected communities through balanced growth.

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# Attachment(s)

- 1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 87, 2023, No. 3431 3337 Viewmount Drive (RS1-S).
- 2. Location Map 3337 Viewmount Drive (RS1-S).
- 3. OCP Map 3337 Viewmount Drive (RS1-S).
- 4. Zoning Map 3337 Viewmount Drive (RS1-S).
- 5. Preliminary Site Plan 3337 Viewmount Drive (RS1-S).
- 6. Cash-in-lieu Assurance Letter 3337 Viewmount Drive (RS1-S).
- 7. Energy Step Code Letter 3337 Viewmount Drive (RS1-S).

## Report Author

Harpal Singh Planning Technician

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### **Report Approval Details**

Document Title:	Rezoning (RS1-S) – 3337 Viewmount Drive (Viatcheslav Chouliak, Tatiana Chouliak) – First and Second Readings.docx
Attachments:	- Attachment 1 - Draft Zoning Bylaw 2018 No. 2937 Amendment Bylaw No. 87 2023 No. 3431 (3337 Viewmount Drive) (RS1-S).pdf - Attachment 2 - Location Map - 3337 Viewmount Drive (RS1-S).pdf - Attachment 3 - OCP Map - 3337 Viewmount Drive (RS1-S).pdf - Attachment 4 - Zoning Map - 3337 Viewmount Drive (RS1-S).pdf - Attachment 5 - Preliminary Site Plan - 3337 Viewmount Drive (RS1-S).pdf - Attachment 6 - Cash-in-Lieu Assurance Letter - 3337 Viewmount Drive (RS1-S).pdf - Attachment 7 - Energy Step Code Letter - 3337 Viewmount Drive (RS1-S).pdf
Final Approval Date:	Oct 16, 2023

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

Michael Olubiyi, Manager of Development Planning - Oct 6, 2023 - 4:36 PM

Kate Zanon, General Manager of Community Development - Oct 6, 2023 - 4:59 PM

Stephanie Lam, City Clerk and Manager of Legislative Services - Oct 6, 2023 - 7:23 PM

Lindsay Todd, Manager of Communications and Engagement - Oct 6, 2023 - 9:56 PM

Paul Rockwood, General Manager of Finance and Technology - Oct 7, 2023 - 10:48 AM

Tim Savoie, City Manager - Oct 16, 2023 - 4:13 PM

Attachment 1



# City of Port Moody

### Bylaw No. 3431

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to allow for a small lot subdivision at 3337 Viewmount Drive.

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. 87, 2023, No. 3431 (3337 Viewmount Drive) (RS1-S)".

### 2. Amendments

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

Lot 32 District Lot 233 Group 1 New Westminster District Plan 20152

PID: 008-667-811

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	, 2023.
Read a second time this _	day of	, 2023
Read a third time this	_ day of	, 2023
Adopted this day of	, 2023.	

EDMS#621641 1

# Attachment 1

# Considered at the October 24, 2023, Regular Council meeting

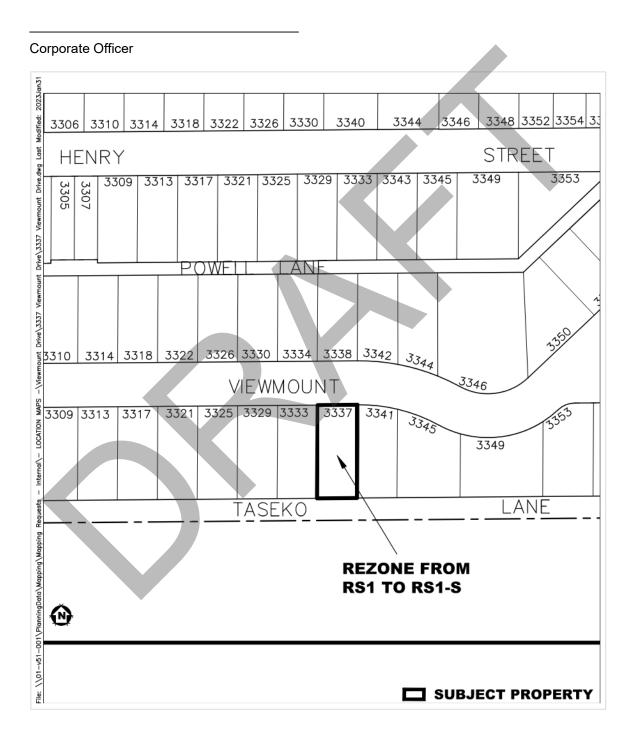
Attachment 1

M. Lahti	 S. Lam
Mayor	City Clerk
I hereby certify that the above	is a true copy of Bylaw No. 3431 of the City of Port Moody.
S. Lam City Clerk	

Attachment 1

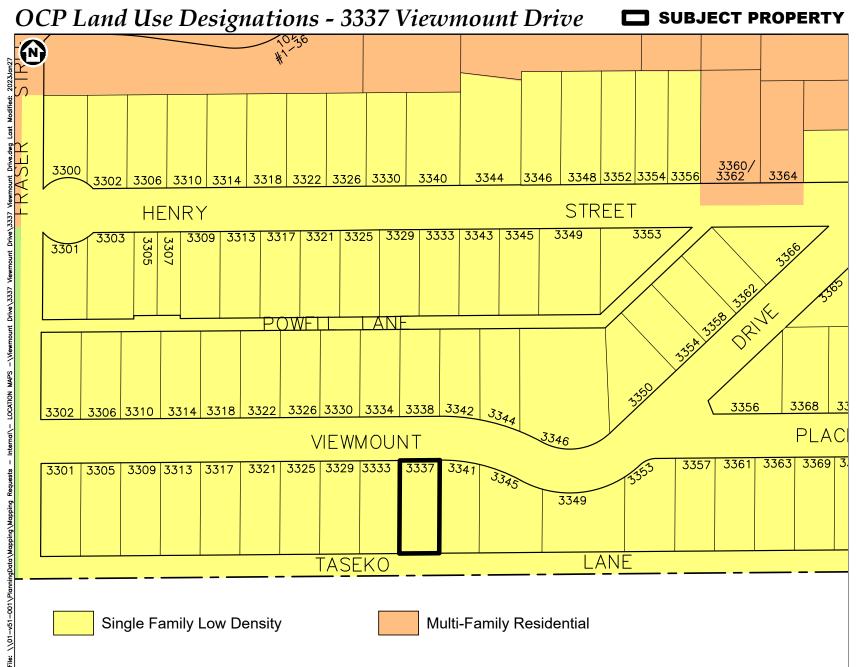
### Schedule A - Location Map

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. 87, 2023, No. 3431 (3337 Viewmount Drive) (RS1-S).



Attachment 2 LOCATION MAP - 3337 Viewmount Drive SUBJECT PROPERTY N FRASER STR FRASER 3370 3300 3306 | 3310 | 3314 | 3318 | 3322 | 3326 | 3330 | 3340 3344 3346 3364 STREET **HENRY** 3313 | 3317 | 3321 | 3325 | 3329 | 3333 | 3343 | 3345 3349 POWELL ANF 3302 3306 3310 3314 3318 3322 3326 3330 3334 3338 3342 3344 3356 3368 | 3372 **PLACE** VIEWMOUNT 3361 | 3363 | 3369 | 3373 3321 | 3325 | 3329 | 3333 | 3337 3305 | 3309 | 3313 | 3317 3345 3349 LANE TASEKO COQUITLAM

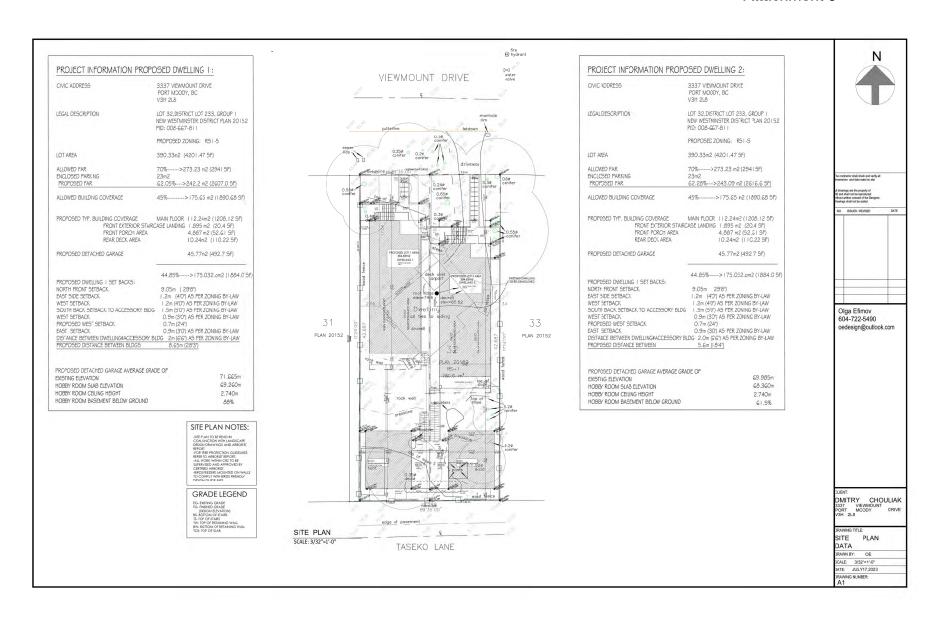
Attachment 3



Attachment 4 ZONING MAP - 3337 Viewmount Drive **SUBJECT PROPERTY** RM<sub>1</sub> **RM4** CD50 RS<sub>1</sub> **CD44** RT **RS1** RS 3360/ 3362 3300 3348 | 3352 | 3354 | 3356 3364 3306 | 3310 | 3314 | 3318 | 3322 | 3326 | 3330 | 3340 3344 STREET HENRY 3349 3353 3313 | 3317 | 3321 | 3325 3333 | 3343 | 3345 3329 3309 3301 RS1 **RS1** POWE ÂNF **RS1 RS1** 3356 3368 3314 3318 3322 3326 3330 3334 3338 3342 3302 | 3306 | 3310 PLACE VIEWMOUNT 3363 | 3369 | 33 3361 3325 3329 3333 3341 3321 3305 3309 | 3313 | 3317 3349 **RS1** RS1 **RS1** LANE TASEKO

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### Attachment 5



Attachment 1

# Considered at the October 24, 2023, Regular Council meeting

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Attachment 6

#### Tree Removal Assurance Letter

August 14, 2023

Applicant owner: Viatcheslav Chouliak, Tatiana Chouliak

Project name: 3337 Viewmont Drive Port Moody, BC

Project ID:

The project site accounts for a total of 26 trees of 6 different types of species. During the designing stage, it was identified that 15 trees are in direct or indirect conflict with the newly proposed development. After thorough discussion with civil engineer consultant, arborist consultant and construction specialists, it was decided to request permission from city staff to remove 15 trees including 5 trees which are located on city's land. The removal of the trees is absolutely necessary to conduct a safe construction process according to all city's Bylaws.

To replace the removed trees, it is proposed to plant 9 new trees according to the city's specifications and standards as described in the arborists report. The location of newly proposed trees also described Tree Management Plan (attached to the arborist report).

According to "City of Port Moody Tree Protection Bylaw, 2015, No. 2961" 2 trees to be planted for each tree removed. Based on the above,  $15 \times 2 = 30$  trees are required to be planted to replace removed trees. Since are only 9 new trees are proposed, the remaining 21 trees will be paid Cash-in-leu by the applicant/owner.

The retained trees will be carefully monitored by the project arborist throughout the construction stage using the procedures described in the arborist report.



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Attachment 7



April 13, 2023

City of Port Moody Development and planning Second Floor 100 Newport Drive Port Moody, BC

Hello,

### **Project Description:**

Rezoning (to RS-1S) and subdivision project at 3337 Viewmont Drive, Port Moody, BC Step 4; Part 9

Airtight Energy Reports Ltd. was retained by Viatcheslav and Tatiana Chouliak to ensure the rezoning and subdivision project at 3337 Viewmont Drive, Port Moody (which will result in 2 detached residential dwellings with below-grade secondary suites) achieves Step 4 for Residential Occupancies. This letter is to certify that I have reviewed the project and have discussed fundamental, structural, and energy-related recommendations with Olga Efimov and the project's design team at this stage of the project, as outlined in Port Moody's Corporate Policy: BC Energy Step Code Rezoning Applications. We will work with Optimal Exteriors Inc and Vistcheslav and Tatiana Chouliak at the appropriate stages of construction to ensure the structures are tested and meet the requirements for step 4 energy compliance.

The recommendations to achieve these targets will be:

- 1. Sheathing and/or sheathing membrane (Tyvek) will be taped and sealed at all joints.
- 2. Insulation for Wall Cavity and Rim joists should be R-24 or higher.
- 3. Windows to be USI 1.40 or better.
- 4. R-50 batt for attics. R-28 batt for flat roofs.

Regards,

Satvir Gill

Registered Energy Advisor

Airtight Energy Reports Ltd.

#208 - 6628 Fraser St. Vancouver, BC V5X 3T5 Office:604-259-8060 Cell: 604-340-5755

info@airtightenergy.ca

Feel Free to give us a review: https://g.page/airtight-energy-reports/review?mp