



City of Port Moody

Report/Recommendation to Council

Date: July 23, 2024
Submitted by: Community Development Department – Development Planning Division
Subject: 622 Foresthill Place – Development Variance Permit (NorthArc Properties)

Purpose

To present to Council consideration of a Development Variance Permit to allow for a flexed approach to the Riparian Transition Area for Lot 4 of the proposed seven lot subdivision plus one park lot development located at 622 Foresthill Place.

Recommended Resolution(s)

THAT Development Variance Permit DA000424 be approved as recommended in the report dated July 23, 2024, from the Community Development Department – Development Planning Division regarding 622 Foresthill Place – Development Variance Permit (NorthArc Properties);

AND THAT the Mayor and Corporate Officer be authorized to execute the necessary legal documents required to issue Development Variance Permit (DA000424) for 622 Foresthill Place (NorthArc Properties).

Background

On June 11, 2024, Council was presented with a report that sought to grant 4th readings to Zoning Amendment Bylaw No. 2976, to rezone the subject property from Development Acreage Reserve (A2) and Development Acreage Reserve (A3) to Single Detached Residential Zone (RS1). Fourth reading to the Bylaws was approved.

At the same meeting a Development Variance Permit (DVP) was requested to reduce the Riparian Transition Area (RTA) from 5.0 metres to 0.0 metres along the entire eastern property lines of proposed Lots 4, 5, and 6. The requested DVP was denied due to concerns with eliminating the RTA in its entirety along these properties.

After further review, staff determined that Lots 5 and 6 have a suitable area to build a home outside of the RTA and that while a variance would have provided flexibility to accommodate various building designs it was not necessary for this application to proceed. The staff review of Lot 4 concluded that the buildable area of Lot 4 would not allow for a suitable area to build a home outside of the RTA. Respecting the direction of Council, staff met with the applicant to discuss an alternate DVP approach for Lot 4.

Discussion

The applicant and their Qualified Environmental Professional (QEP) have submitted a revised significantly reduced DVP proposal for 622 Foresthill Place (**Attachment 1**). The variance to the RTA setback from Wilkes Creek is along the rear of proposed Lot 4 only and is taking a no-net loss in the Riparian Transition Area (RTA) approach (**Attachment 2**). The proposed flexed RTA has been reduced to 1.5 metres in specific areas only, and to compensate for this reduction, the RTA has been expanded in other areas of Lot 4, resulting in an overall no net loss of the RTA on this lot. There is no encroachment into the Riparian Protection Enhancement Area. The proposed site plan is included in **Attachment 3**. There is no DVP request for Lots 5 and 6.

The applicant is therefore seeking the following variance:

1. Zoning Bylaw Section 5.4.5 – A reduction in the Riparian Transition Area setback of Wilkes Creek, from 5.0 m to 1.5 m for proposed Lot 4.

The City's environment staff have reviewed the proposal and support the proposed variance. The City's subdivision approval staff have also reviewed the proposal and have determined that there will be a reasonable buildable area for a future home. Staff recommend that the variance 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 fencing, and registration of a restrictive covenant.

Other Option(s)

Refuse the application, stating reasons for the refusal.

Financial Implications

There are no financial implications associated with this report.

Communications and Public 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 July 23, 2024, Council meeting date.

Council Strategic Plan Goals

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

- Strategic Goal 2.1 – Protect, integrate, and enhance our natural assets; and
- Strategic Goal 2.3 – Enhance and expand parkland and open spaces.

Attachment(s)

1. Location Plan – 622 Foresthill Place
2. Proposed Lot 4 – 622 Foresthill Place
3. Draft DVP – 622 Foresthill Place

Report Author

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Development Planner

Report Approval Details

Document Title:	622 Foresthill Place Riparian Transition Area Development Variance Permit.docx
Attachments:	- Attachment 1 - Location Plan - 622 Foresthill Place.pdf - Attachment 2 - Proposed Lot 4 - 622 Foresthill Place.pdf - Attachment 3 - Draft DVP - 622 Foresthill Place.docx
Final Approval Date:	Jul 9, 2024

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

Kate Zanon, General Manager of Community Development - Jul 9, 2024

Stephanie Lam, City Clerk and Manager of Legislative Services - Jul 9, 2024

Lindsay Todd, Manager of Communications and Engagement - Jul 9, 2024

Paul Rockwood, General Manager of Finance and Technology - Jul 9, 2024

Anna Mathewson, City Manager - Jul 9, 2024