

Considered at January 28, 2020 Regular Council Meeting

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City of Port Moody Report/Recommendation to Council

Date: January 8, 2020
Submitted by: Planning and Development Department – Development Planning Division
Subject: Rezoning Application – 148 Elgin Street

Purpose

To present for Council consideration a rezoning application to facilitate subdivision of the property at 148 Elgin Street into two lots.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 29, 2020 No. 3231 (148 Elgin Street) (RS1-S) be read a first time as recommended in the report dated January 8, 2020 from Planning and Development Department – Development Planning Division regarding Rezoning Application – 148 Elgin Street.

THAT Bylaw No. 3231 be read a second time;

AND THAT Bylaw No. 3231 be referred to a Public Hearing.

Background

The City has received a rezoning application for 148 Elgin Street 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 Bylaw No. 3231 (**Attachment 1**). The applicant is proposing to retain the existing house on the lot and is requesting a variance in order to do so as the house will not comply with the setbacks in the Zoning Bylaw. Accordingly, the applicant has applied for a Development Variance Permit, which will be presented to Council should this Bylaw be supported.

Discussion

Subject Site Description

The subject property is approximately 808m² (8,967ft²) in size and is located at the northeast corner of Elgin Street and St. George Street. The property is currently developed with a single-family dwelling, which is proposed to be retained as part of the subdivision. The subject property is located within a single-family residential neighbourhood composed mostly of single-family dwellings on similar lot sizes to the existing lot. A location map is provided as **Attachment 2**.

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Official Community Plan (OCP)

The OCP designates the subject lot as Single Family Low Density (**Attachment 3**), which supports the proposed rezoning. 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 the community and redeveloping neighbourhoods."

The property is also included in Development Permit Area 5 (DPA 5): Hazardous Conditions due to flood and moderate to high risk of earthquake soil liquefaction. A Minor Development Permit approved by staff would be required to address the potentially hazardous conditions should the rezoning be approved.

Design of form and character is not reviewed for principal dwellings which are beyond the boundary of the Moody Centre Heritage Character Area such as this property.

Due to the configuration of the proposed subdivision, it is unlikely that there will be any opportunities for Detached Accessory Dwelling Units (DADUs). At this time, the applicant has not proposed any DADUs.

Zoning

The subject lot is zoned RS1, as are surrounding properties to the east, west, and south. The properties to the north at the southeast corner of St. Johns Street and Elgin Street are zoned RM3 and permit three-storey multi-family development. 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, with several RS1-S subdivisions having been approved in the surrounding area. A zoning map is included as **Attachment 4**.

Implementation and Proposed Subdivision

To facilitate the proposed subdivision, draft Bylaw No. 3231 (**Attachment 1**) 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.

The proposal involves the subdivision of the existing property into two lots in a front-to-back configuration (**Attachment 5**). A front-to-back subdivision is feasible in this situation as the property is located on a corner lot and services are available along all three flanking roads (Elgin Street, St. George Street, and St. Andrews Street). Due to the front-to-back subdivision, the lots are configured in a relatively square arrangement. As shown on the following table, the proposed lots satisfies the minimum lot width and area requirements for subdivision under the RS1-S Zone.

Regulation	RS1-S	Proposed Lot 1	Proposed Lot 2
Width	9m (30ft)	20.11m (65.98ft)	20.11m (65.98ft)
Area	325m ² (3,498ft ²)	404.7m ² (4,356ft ²)	404.7m ² (4,356ft ²)

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Following the rezoning, development variance and subdivision approval, applications for a Development Permit (DPA 5) and Building Permits will be initiated for the construction of the new dwellings.

Development Variance Permit

To facilitate the retention of the existing dwelling on proposed Lot 1 and new development on proposed Lot 2, the applicant is requesting three variances to the setbacks of proposed Lot 1 and one variance to the setbacks of proposed Lot 2. A letter of rationale including building envelopes per the Zoning Bylaw and per the requested variances are shown in **Attachment 6**. The variances are summarized in the table below:

Setback (Principal Dwelling)	RS1-S Zone Minimum	Proposed Lot 1	Proposed Lot 2
Front Lot Line (Elgin St.)	6.0m (19.69ft)	3.4m (11.2ft)	6.18m (20.28ft)
Rear Lot Line (2306 St. George Street, Dwelling)	7.5m (24.6ft)	6.7m (22.0ft)	1.89m (6.2ft)
Exterior Side Lot Line (Lot 1 – St. Andrews St.; Lot 2 – St. George St.)	1.8m (5.9ft)	1.19m (3.9ft)	7.5m (24.6ft)

To retain the existing house, the applicant is requesting reduced front yard, rear yard, and exterior side yard setbacks. The proposed 3.4m still provides a functional front yard and is consistent with existing dwellings in the neighbourhood. The requested reduction of 0.8m (2.6ft) to the rear yard setback is minor and still provides sufficient depth (6.7m or 22.0ft) for functional yard space. In addition, the retained dwelling has an increased interior side yard setback of 9.0m, which provides significant functional yard space. Lastly, the reduction in the exterior side lot line of 0.61m (2ft) is minor and is measured from municipal right-of-way, with the actual distance from the house to the edge of pavement exceeding 3.0 metres, thereby eliminating any safety concerns.

For the proposed Lot 2, the applicant is proposing a reduced rear yard setback of 1.89m (6.2ft). Due to the lot configuration as well as the property being a corner lot, it is not possible to meet all setback requirements while providing a functional single-family dwelling. In order to compensate for the reduced rear yard setback, the applicant is providing a 7.5m (24.6ft) exterior side yard, which would provide the functional yard space typically contained in the rear yard. Should the rezoning application and subsequent variance be approved, this setback would be protected to ensure no buildings or structures are constructed within the setback.

The proposed lot configuration is consistent with the two adjacent single-family lots on the west side of Elgin Street.

Should the rezoning bylaw be granted first and second readings, a notice of the variances will be sent to surrounding property owners in conformance with the *Local Government Act* and the development variance permit will be presented to Council prior to adoption of the bylaw.

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Community Amenity Contribution Program

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 Council consideration of final adoption of the Zoning Amendment Bylaw, No. 3231.

Other Option(s)

1. THAT the rezoning application, as presented in the report dated January 7, 2020 from the Planning and Development Department – Development Planning Division regarding Rezoning Application – 148 Elgin Street be revised.
2. THAT the rezoning application, as presented in the report dated January 7, 2020 from the Planning and Development Department – Development Planning Division regarding Rezoning Application – 148 Elgin Street be denied.

Financial Implications

There are no financial implications associated with this report.

Communications and Civic Engagement Initiatives

The Development Approval Procedures Bylaw, No. 2918 exempts RS1-S (Small Lot) rezoning applications from the requirement to seek the Community Planning Advisory Committee'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 of the proposed bylaw and variance request to adjacent residents, an ad placed in the local newspaper, and the installation of a notification sign 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 City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 29, 2020, No. 3231 (148 Elgin Street) (RS1-S).
2. Location Map.
3. OCP Map.
4. Zoning Map.
5. Proposed Subdivision Plan.
6. Applicant's Letter of Rationale and Building Envelopes.
7. Requested Variances.

Report Author

Dejan Teodorovic, BURPI
Planning Technician

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Report Approval Details

Document Title:	148 Elgin Street.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 29, 2020, No. 3231 (148 Elgin Street) (RS1-S).pdf- Attachment 2 - Location Map.pdf- Attachment 3 - OCP Map.pdf- Attachment 4 - Zoning Map.pdf- Attachment 5 - Proposed Subdivision Plan.PDF- Attachment 6 - Applicant's Letter of Rationale and Building Envelopes.pdf- Attachment 7 - Requested Variances.pdf
Final Approval Date:	Jan 20, 2020

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

Dorothy Shermer, Corporate Officer - Jan 15, 2020 - 1:11 PM

Rosemary Lodge, Manager of Communications and Engagement - Jan 15, 2020 - 5:25 PM

Paul Rockwood, General Manager of Finance and Technology - Jan 16, 2020 - 8:25 AM

André Boel, General Manager of Planning and Development - Jan 18, 2020 - 12:02 PM

Tim Savoie, City Manager - Jan 20, 2020 - 4:17 PM

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City of Port Moody

Bylaw No. 3231

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to allow for a small lot subdivision at 148 Elgin Street.

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. 29, 2020, No. 3231 (148 Elgin Street) (RS1-S)”.

2. Amendments

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

Lot 10, Block “1”, District Lot 202, Group 1, New Westminster District Plan 55

PID 011-453-770

as shown on the map in Schedule A.

3. Attachments and Schedules

- 3.1 The following schedules are attached to and form 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 ____, 2020.

Read a second time this ___ day of ____, 2020.

Read a third time this ___ day of ____, 2020.

Adopted this ___ day of ____, 2020.

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R. Vagramov
Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3231 of the City of Port Moody.

D. Shermer
Corporate Officer

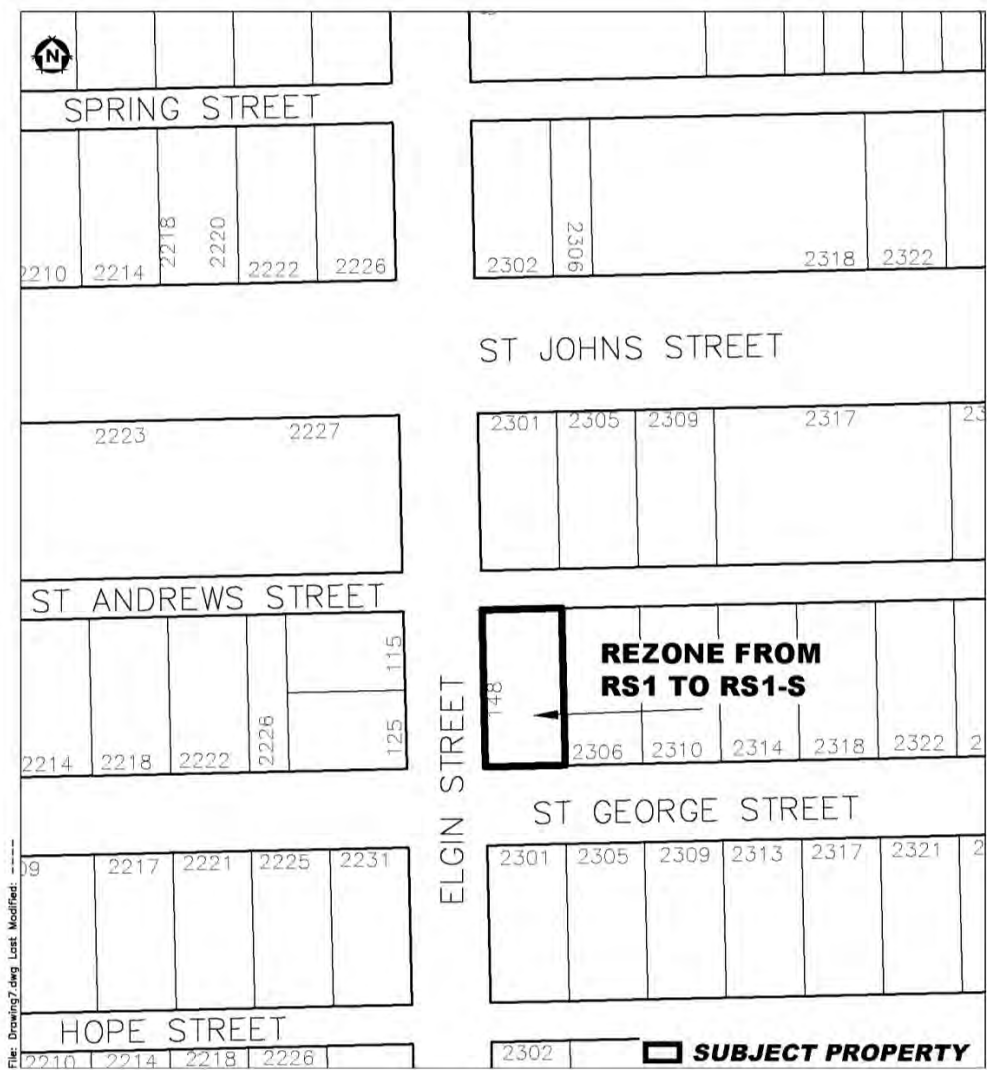
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Schedule A – Location Map

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. 29, 2020, No. 3231 (148 Elgin Street) (RS1-S).

Corporate Officer

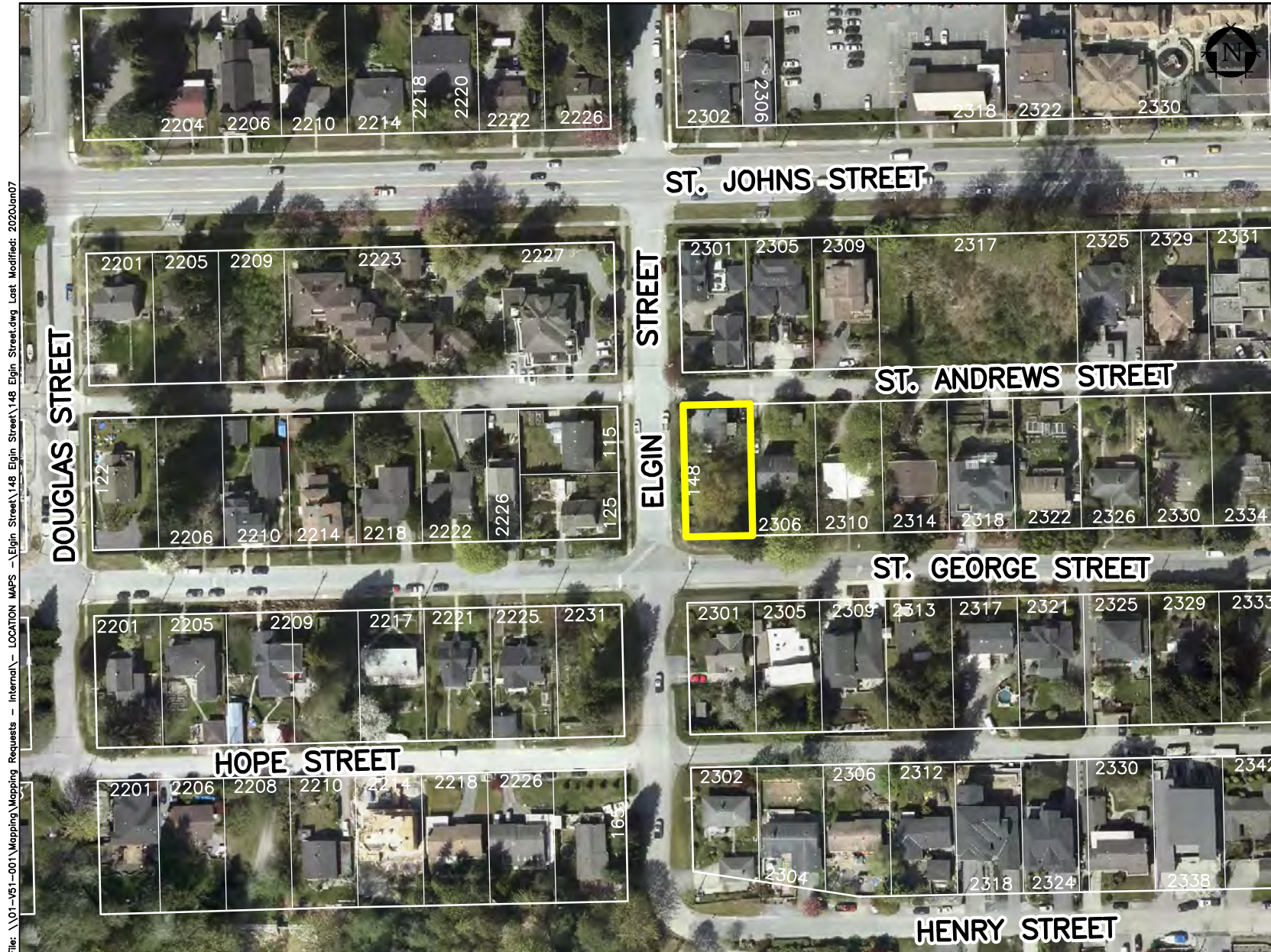


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LOCATION MAP - 148 Elgin Street

 SUBJECT PROPERTY

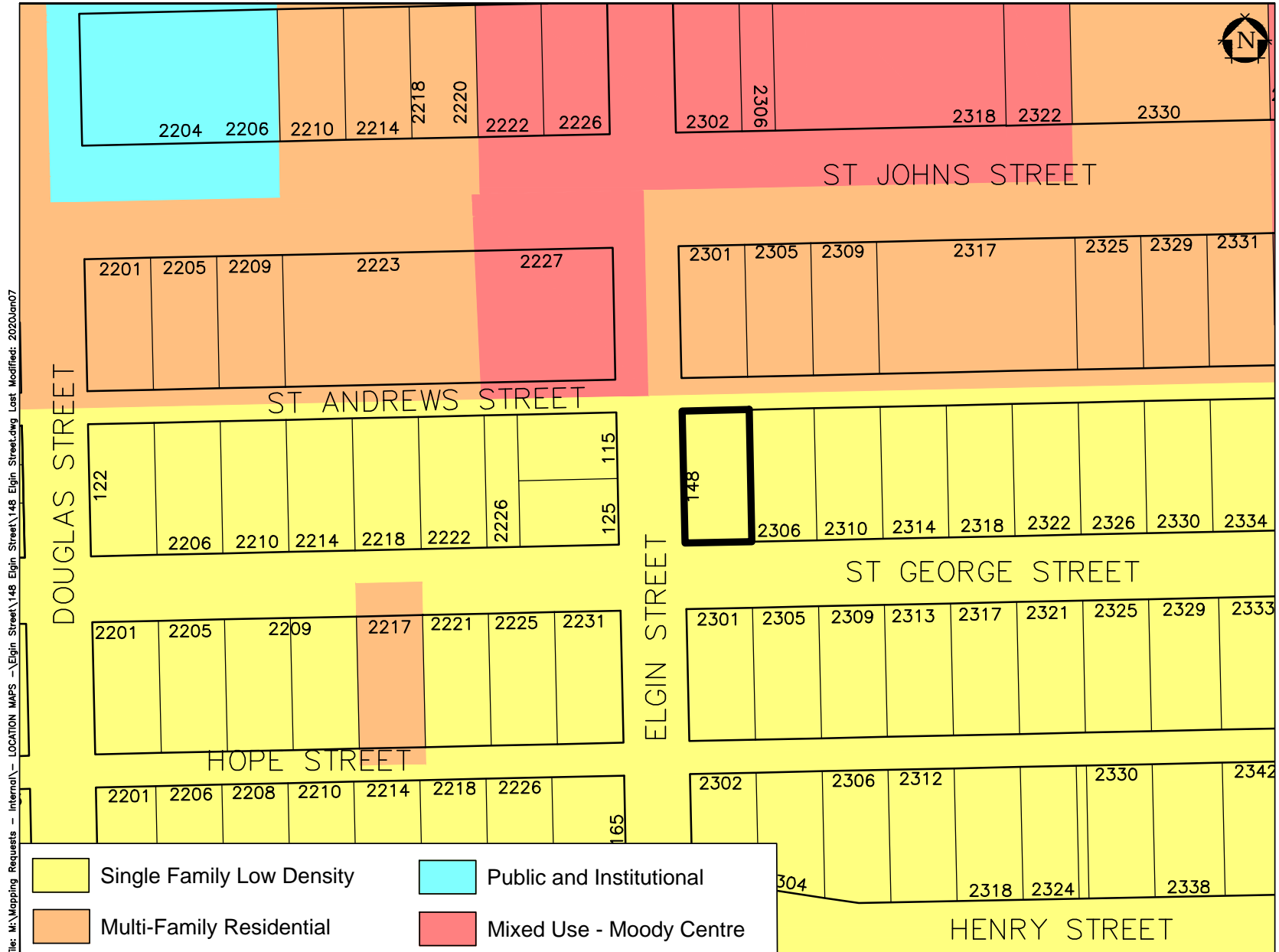


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Land Use Designations - 148 Elgin Street

 SUBJECT PROPERTY

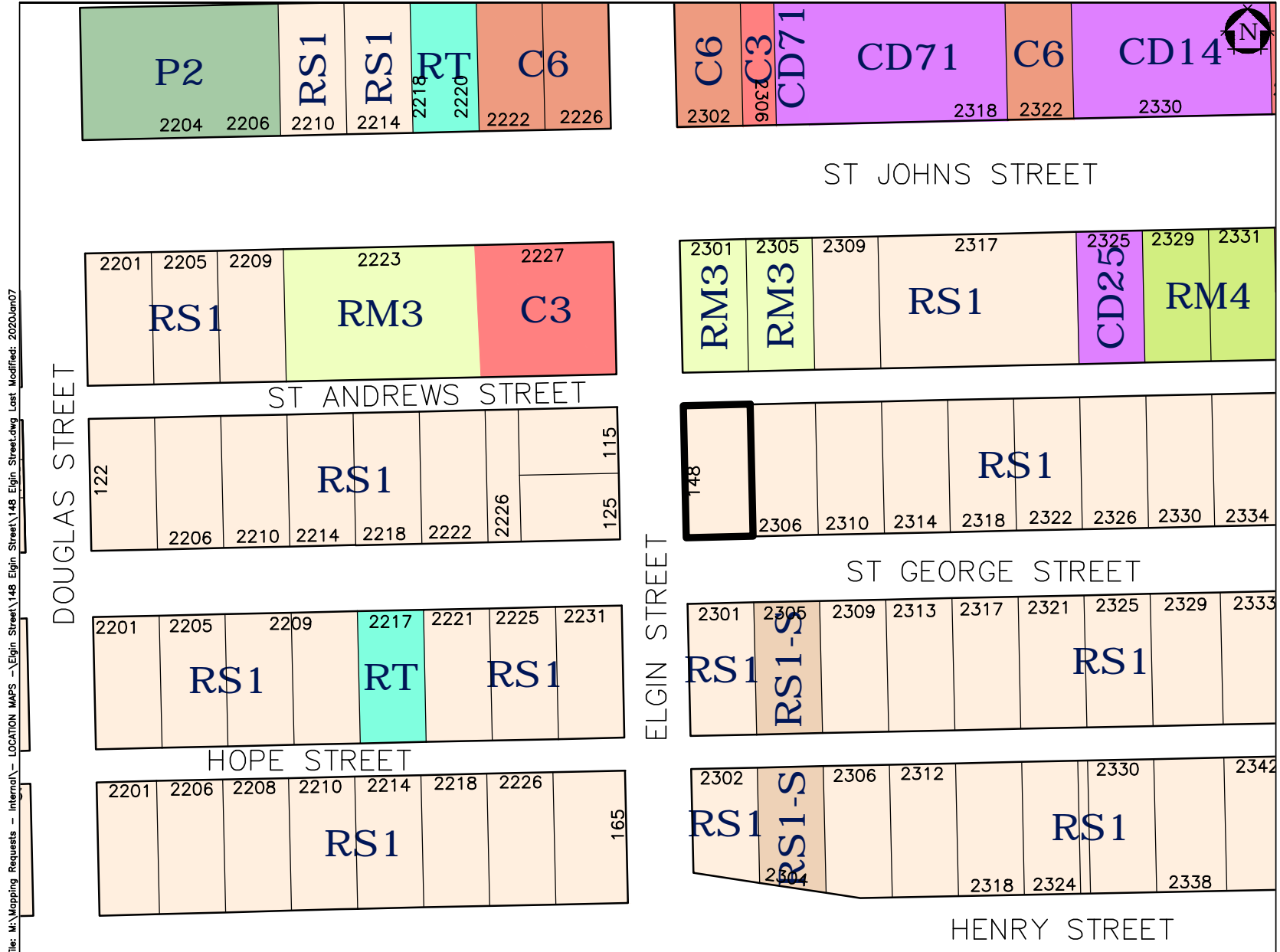


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ZONING MAP - 148 Elgin Street

 SUBJECT PROPERTY

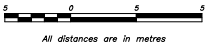


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TOPOGRAPHICAL AND PROPOSED SUBDIVISION PLAN OF LOT 10,
BLOCK 1, DISTRICT LOT 202, GROUP 1,
NEW WESTMINSTER DISTRICT, PLAN 55

SCALE:1:250



All distances are in metres



PARCEL IDENTIFIER 011-453-770
CWC ADDRESS 148 Elgin Street
Port Moody, B.C.

A
Plan 75614

Strata
Plan LMS2731

Strata
Plan LMS1032

88
Plan 42837

89
Plan 42837

8
Plan 55

ST. ANDREWS ST

ELGIN ST

9
Plan 55

ST. GEORGE ST

1
Plan 55

2
Plan 55

LEGEND

- × 191.00 Spot Elevation
- ☼ Coniferous Tree
- ☼ Deciduous Tree
- ☒ Catch Basin
- ⊖ Power Pole
- ★ Anchor

Elevations are Geodetic,
shown in metres, derived from
Control Monument 95H1980
Elevation = 19.344 metres
Datum: CGD280VRD, 2005.

Lot dimensions are based
on Plan 10549.

Offsets shown are not to be used to
define property lines. This plan was
prepared for a specific purpose and is
for the exclusive use of our client. We
assume no responsibility for the
unauthorized use of this plan.

Proposed building added
May 1st, 2019.

CERTIFIED CORRECT
this 17th day of June, 2017.

© W. PAPOVE B.C.L.S.
THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

NOTES:

Proposed RS1-N Zoning, One Family Residential - Narrow Lot.
Proposed lot dimensions are preliminary and subject
to Municipal approval.

Setbacks
Front=6.0 metres, rear=7.5 metres,
interior side=1.01 metres (10% of lot width),
exterior side=3.0 metres.

PAPOVE
PROFESSIONAL LAND SURVEYING INC.
202 - 1120 WESTWOOD STREET
COQUITLAM, B.C., V3B 7K8
TEL : (604) 464-5199
FAX : (604) 464-6509
FILE NUMBER : 7296C

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100- 2240 CHIPPENDALE ROAD WEST VANCOUVER BC V7S 3J5 T 778340 4142 E FARZIN@FYARCH.CA

Date: April 30, 2019

To: Planning Department,
Port Moody City, B.C.

Project address: 148 Elgin Road, Port Moody, B.C.

Re: Request for Variance

The proposed project is to subdivide and rezone an existing building in RS-1 zoning located at 148 Elgin Road at the northeast corner of Elgin Road and St. George Road to RS1-S Zone.

The Owner intent is to preserve the existing building, located on the northern side of the lot and after subdivision, build another single-family house on the southern part of the lot, which would be at the corner of Elgin Road and St. George Road.

To save the existing building from demolishing, the lot should be divided into two north and south lots along Elgin Road.

Each lot would be approximately 20 M. x 20 M. (66' x 66') square shape lot.

Existing setbacks of the existing building are as follows:

North (St. Andrew Street): 1.2 M.
West (Elgin Road): 3.43 M.
South to proposed property line: 9 M.
East: 6.7 M.

Required setbacks of the existing building as per RS1-S are as follows:

North (St. Andrew Street): 1.2 M.
West (Elgin Road): 6 M.
South (Proposed Property Line): 1.2 M.
East: 7.5 M.

Therefore setback variances are requested for west and east setbacks.

Setbacks for the proposed building as per RS1-S are as follows:

North (Proposed Property Line): 1.2 M.
West (Elgin Road): 6 M.
South (St. Georges Street): 1.2 M.
East: 7.5 M.

Since the proposed building would be located at the corner of two relatively major roads, there two main issues with the above required setbacks, which needs to be considered:

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- 1- 1.2 M. South setback to St. Georges Street would be insufficient and east setback to be unnecessarily excessive, so the proposal is to replace the south and east setbacks and to provide 8 M. setback along St. Georges Street and 2 M. interior setback. This will provide ample setback and front yard next to St. Georges and also improve traffic visibility at the corner of St. Georges and Elgin Roads. With this proposal there would be 6 M. front yard at Elgin Road and also a 8M. Front yard at the St. Georges.
- 2- With the required East & West Setbacks,, the building would be very narrow and too long. (Only be 6.5 M. wide and 17M. long) and the proposed setback the building dimensions would be approximately 10M x 12 M which would be a much more appropriate dimensions for a more proper building layout.

The proposed setbacks area as follows:

North (Proposed Property Line): 1.8M.

West (Elgin Road): 6 M.

South (St. Georges Street): 7.5 M.

East: 1.8 M.

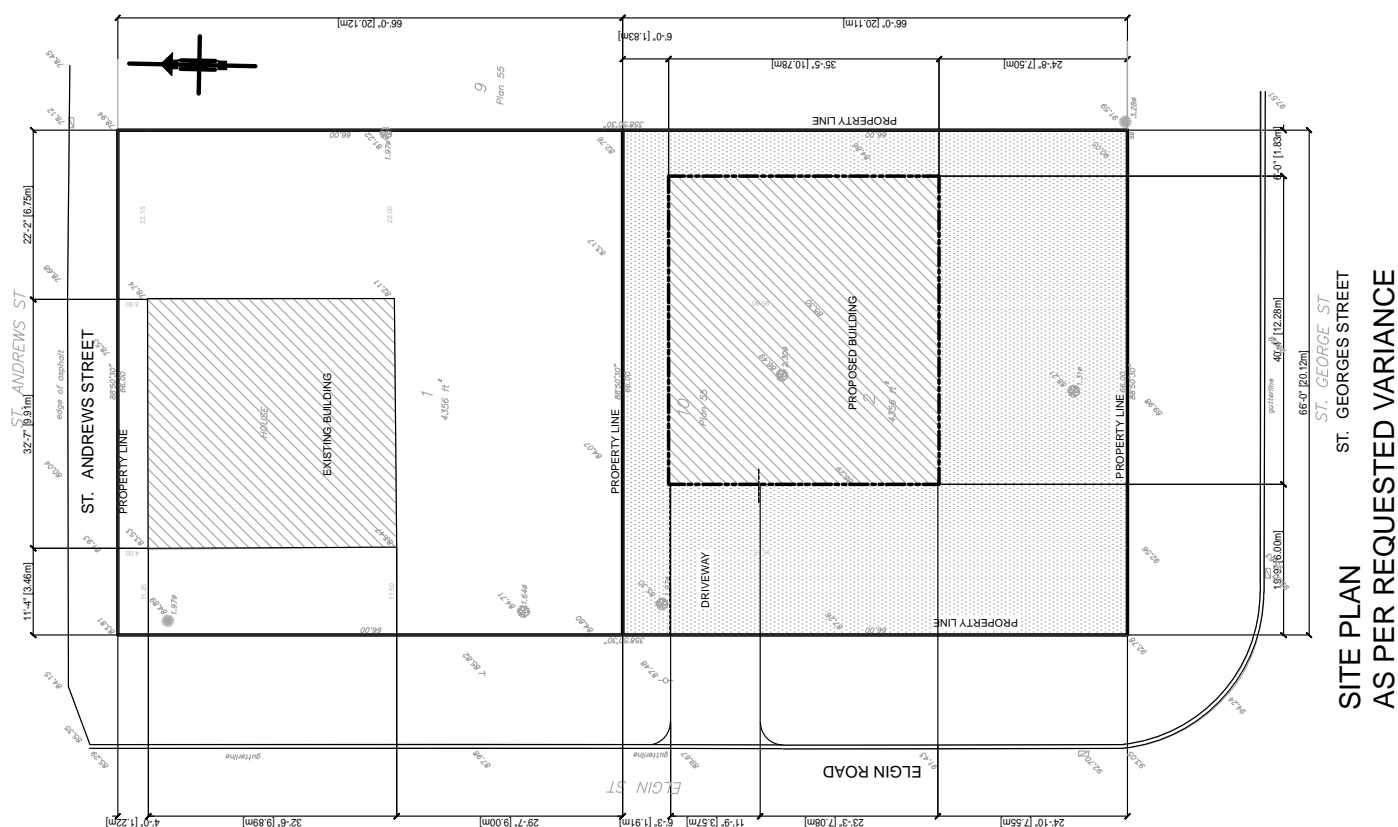
As a conclusion and by referring to the comparison layout below, it seems quite obvious that the proposed variance would be beneficial for the streetscape, traffic and the building layout.

Your kind attention to this matter will be appreciated.

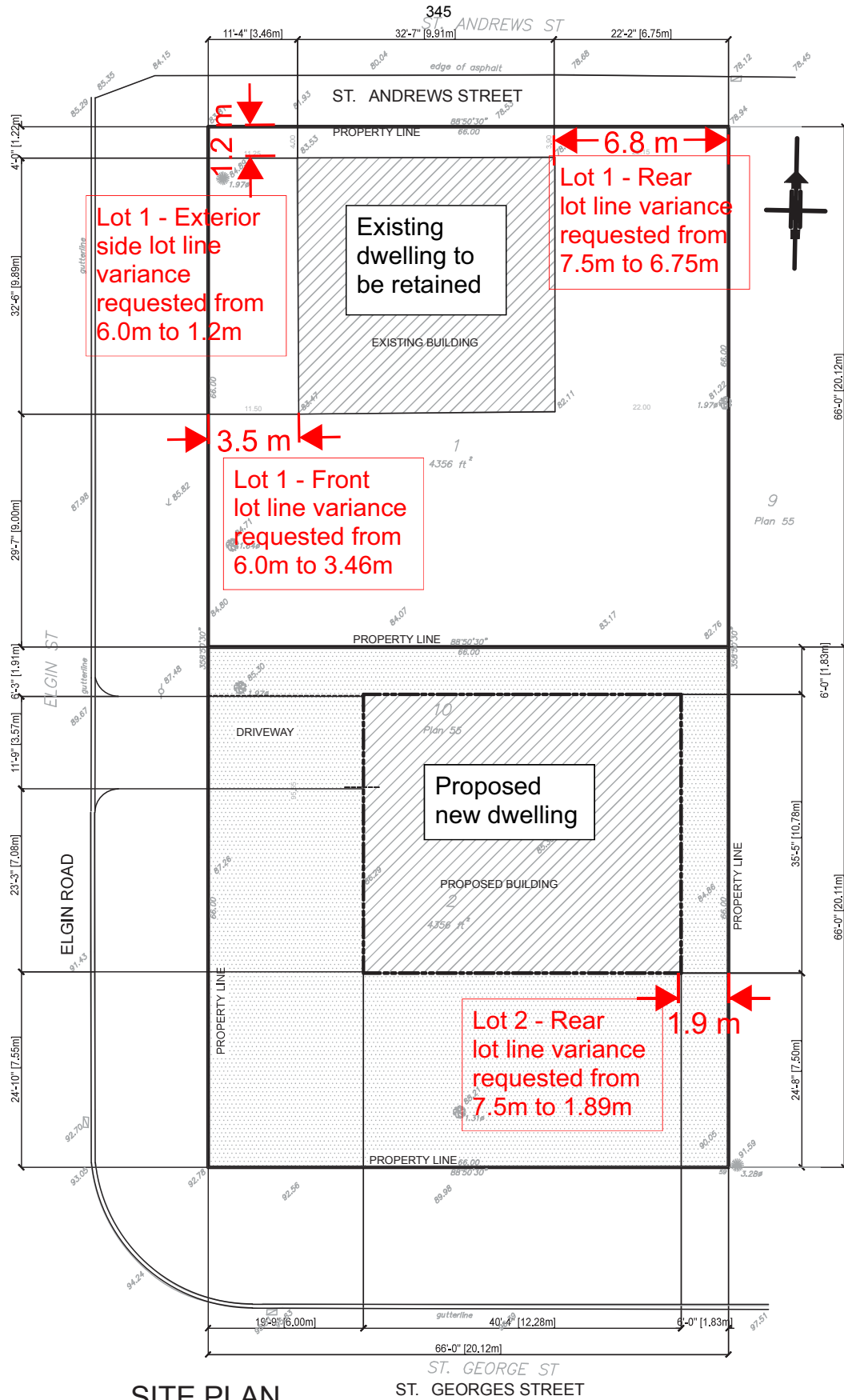
Best regards;

Farzin Yadegari, Architect, AIBC

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SITE PLAN
AS PER REQUESTED VARIANCE