

Considered at January 28, 2020 Regular Council Meeting

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City of Port Moody Report/Recommendation to Council

Date: January 7, 2020
Submitted by: Planning and Development Department – Development Planning Division
Subject: Rezoning Application – 2723 Henry Street

Purpose

To present for Council consideration a rezoning application and development variance permit application to facilitate subdivision of the property at 2723 Henry Street into two lots.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 28, 2020 No. 3229 (2723 Henry Street) (RS1-S) be read a first time as recommended in the report dated January 7, 2020 from the Planning and Development Department – Development Planning Division regarding Rezoning Application – 2723 Henry Street.

THAT Bylaw No. 3229 be read a second time;

AND THAT Bylaw No. 3229 be referred to a Public Hearing.

Background

The City has received a rezoning application for 2723 Henry 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. 3229 (**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 809m² (8,708ft²) in size and is located at the southwest corner of Henry Street and Moody 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."

Design guidelines that guide the form and character of dwellings on small lots in the Moody Centre Heritage Character Area are contained within Development Permit Area 2 (DPA 2): Intensive Residential Development. 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. Minor Development Permits approved by staff would be required to address form and character and the potentially hazardous conditions should the rezoning be approved and subdivision application proceed.

Due to the configuration of the proposed subdivision, it is unlikely that there will be any opportunities for Detached Accessory Dwelling Units (DADUs).

Zoning

The subject lot is zoned RS1, as are surrounding properties to the west, north, and south. The properties to the east are zoned RS1-S and have been recently created through subdivision. 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 Moody Centre as shown on **Attachment 4**.

Implementation

To facilitate the proposed subdivision, draft Bylaw No. 3229 (**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.

Proposed Subdivision

The proposal involves the subdivision of the existing property into two lots with a front-back configuration (**Attachment 5**). A front-back subdivision is feasible in this situation as the property located on a corner lot and services are available along all three flanking roads (Henry Street, Moody Street, and Jane Street). Due to the front-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)	20m (32.8ft)	18m (60ft)
Area	325m ² (3,498ft ²)	439m ² (4,721ft ²)	371m ² (3,989ft ²)

Following the rezoning and subdivision approval, applications for the Development Permits (DPA 2 and DPA 5) and Building Permits will be initiated for the construction of the new dwelling.

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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 one variance to the setbacks of proposed Lot 1 and two variances to the setbacks of proposed Lot 2, as shown on **Attachment 6**. The applicant has also provided a letter of rationale for the requests (**Attachment 7**).

The requested variance for proposed Lot 1 is shown below.

Setback (Principal Dwelling)	RS1-S Zone Minimum	Proposed Lot 1
Rear Yard Setback	7.5m (24.6ft)	4.0m (13.1ft)

To retain the existing house, the applicant is requesting that the rear yard setback be reduced from 7.5m (24.6ft) to 4.0m (13.1ft). This allows the existing home to still have a small but functional yard space in the rear of the property.

The requested variances for proposed Lot 2 is shown below.

Setback (Principal Dwelling)	RS1-S Zone Minimum	Proposed Lot 2
Front Yard Setback (Moody Street)	6.0m (19.7ft)	1.8m (5.9ft)
Rear Yard Setback	7.5m (24.6ft)	6.6m (21.6ft)

While the proposed variance request for the front yard setback from 6m (1.7ft) to 1.8m (5.9ft) is a large departure from the Zoning Bylaw, the applicant is proposing to leave a 6m setback fronting Jane Street. In essence, the applicant is proposing to “trade” the setback requirements of the front lot line with a greater exterior side lot line in order to have its yard space off Jane Street.

Taking into consideration the wide boulevard space on Moody Street (approximately 10m) and the additional setback on Jane Street, staff do not foresee any issues with sight lines for turning vehicles at the intersection. Staff are supportive of the variance requests as it facilitates the development of proposed Lot 2 while still giving a functional rear yard to proposed Lot 1. The variance also preserves the existing dwelling without any need for demolition and retains the character of the existing neighbourhood. The voluntary 6m setback for proposed Lot 2 fits in with the existing streetscape as the houses on the opposite side of Jane Street all have their front doors facing the road.

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.

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. 3229.

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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 – 2723 Henry 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 – 2723 Henry 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 for the rezoning and development variance permit applications 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. 28, 2020, No. 3229 (2723 Henry Street) (RS1-S).
2. Location Map.
3. OCP Map.
4. Zoning Map.
5. Proposed Subdivision Plan.
6. Requested Variances.
7. Applicant's Letter of Rationale for Variance Request.

Report Author

Wesley Woo, MCIP, RPP
Development Planner

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Report Approval Details

Document Title:	2723 Henry Street RTC.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft Bylaw No. 3229.pdf- Attachment 2 - Location Map.pdf- Attachment 3 - OCP Map.pdf- Attachment 4 - Zoning Map.pdf- Attachment 5 - Proposed Subdivision Plan.PDF- Attachment 6 - Requested Variances.pdf- Attachment 7 - Applicant Letter of Rationale for 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 14, 2020 - 5:55 PM

Rosemary Lodge, Manager of Communications and Engagement - Jan 14, 2020 - 7:41 PM

Paul Rockwood, General Manager of Finance and Technology - Jan 14, 2020 - 8:13 PM

André Boel, General Manager of Planning and Development - Jan 15, 2020 - 11:59 AM

Tim Savoie, City Manager - Jan 20, 2020 - 3:58 PM

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City of Port Moody

Bylaw No. 3229

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to allow for a small lot subdivision at 2723 Henry 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. 28, 2020, No. 3229 (2723 Henry 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 3 Block 30 District Lot 201 Group 1 New Westminster District Plan 72

PID 011-455-110

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.

Public Hearing 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. 3229 of the City of Port Moody.

D. Shermer
Corporate Officer

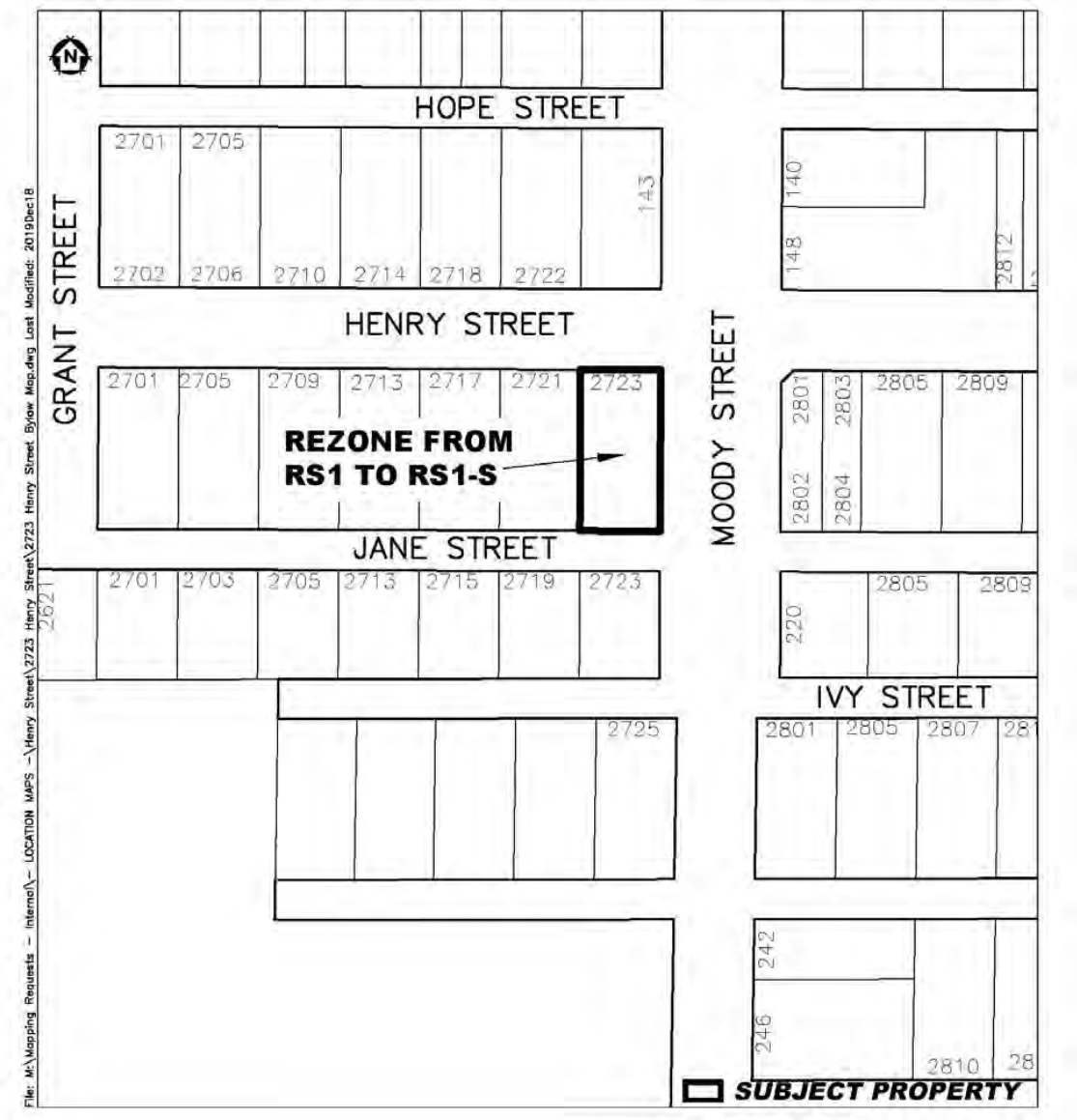
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Schedule A – Location Map

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. 28, 2020, No. 3229 (2723 Henry Street) (RS1-S).

Corporate Officer

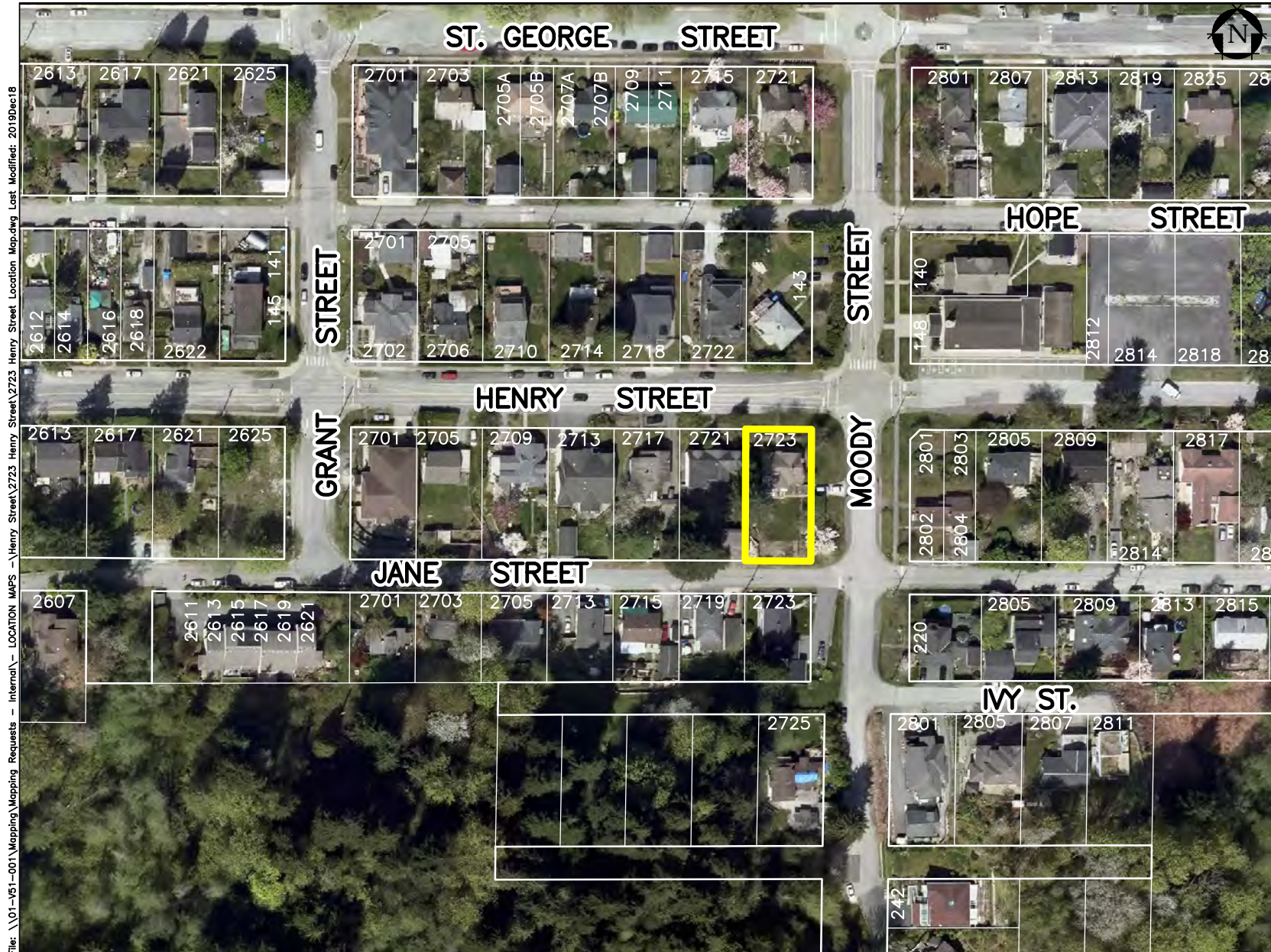


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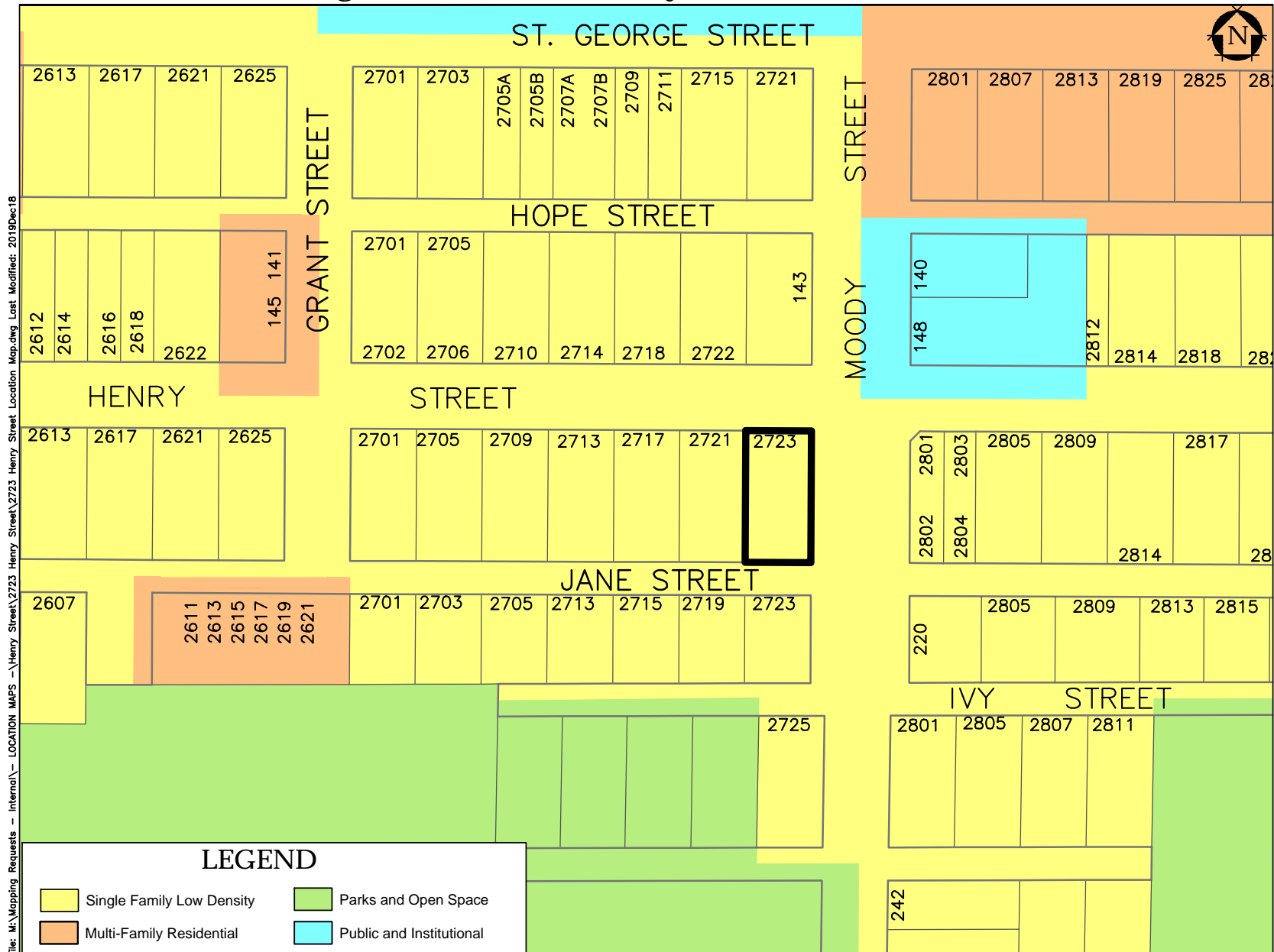
LOCATION MAP - 2723 Henry Street

 SUBJECT PROPERTY



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SUBJECT PROPERTY



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ZONING MAP - 2723 Henry Street

 SUBJECT PROPERTY



File: M:\Mapping Requests - Internal\ - LOCATION MAPS - Henry Street\2723 Henry Street Location Map.dwg Last Modified: 2019Dec18

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Plan

Bk.

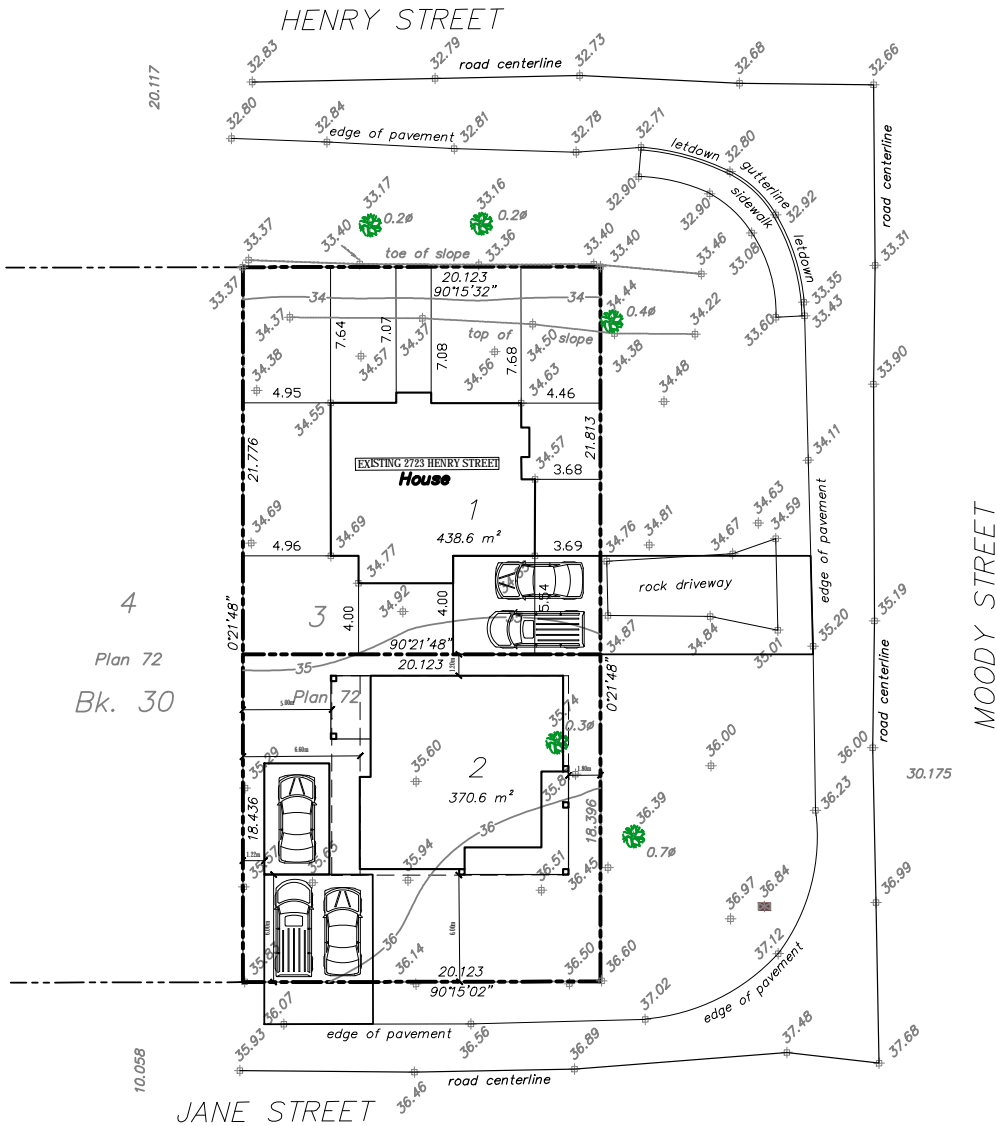
7

72

24

16

Plan 24771



9

Plan 72

Bk. 31

Bk.

Parcel B

Plan

(Plan 24054E)

30

EASTERLY 66' OF 2

72

46

Plan 46984

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NORTH ELEVATION

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EAST ELEVATION
MOODY STREET

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SOUTH ELEVATION

JANE STREET

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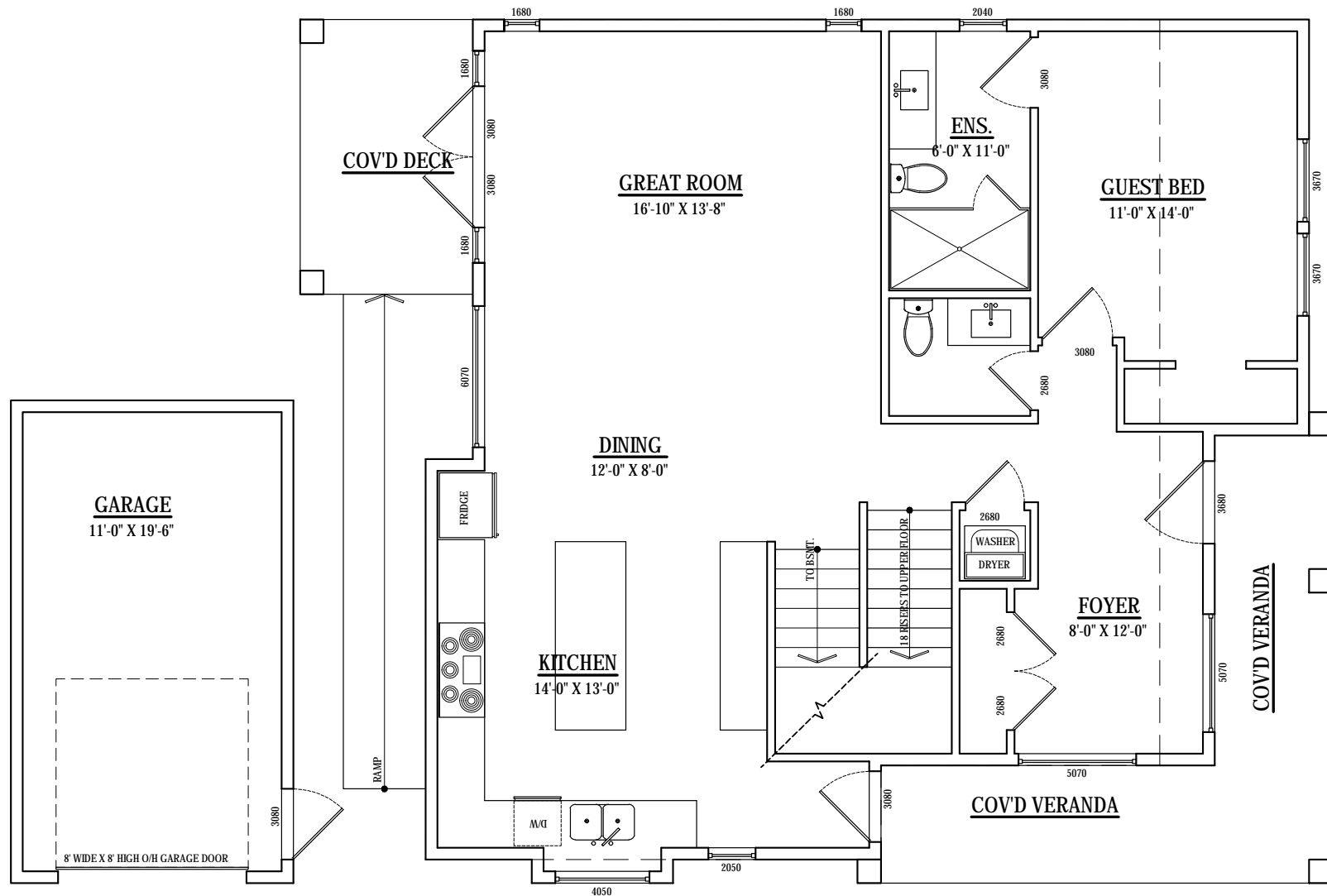
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WEST ELEVATION

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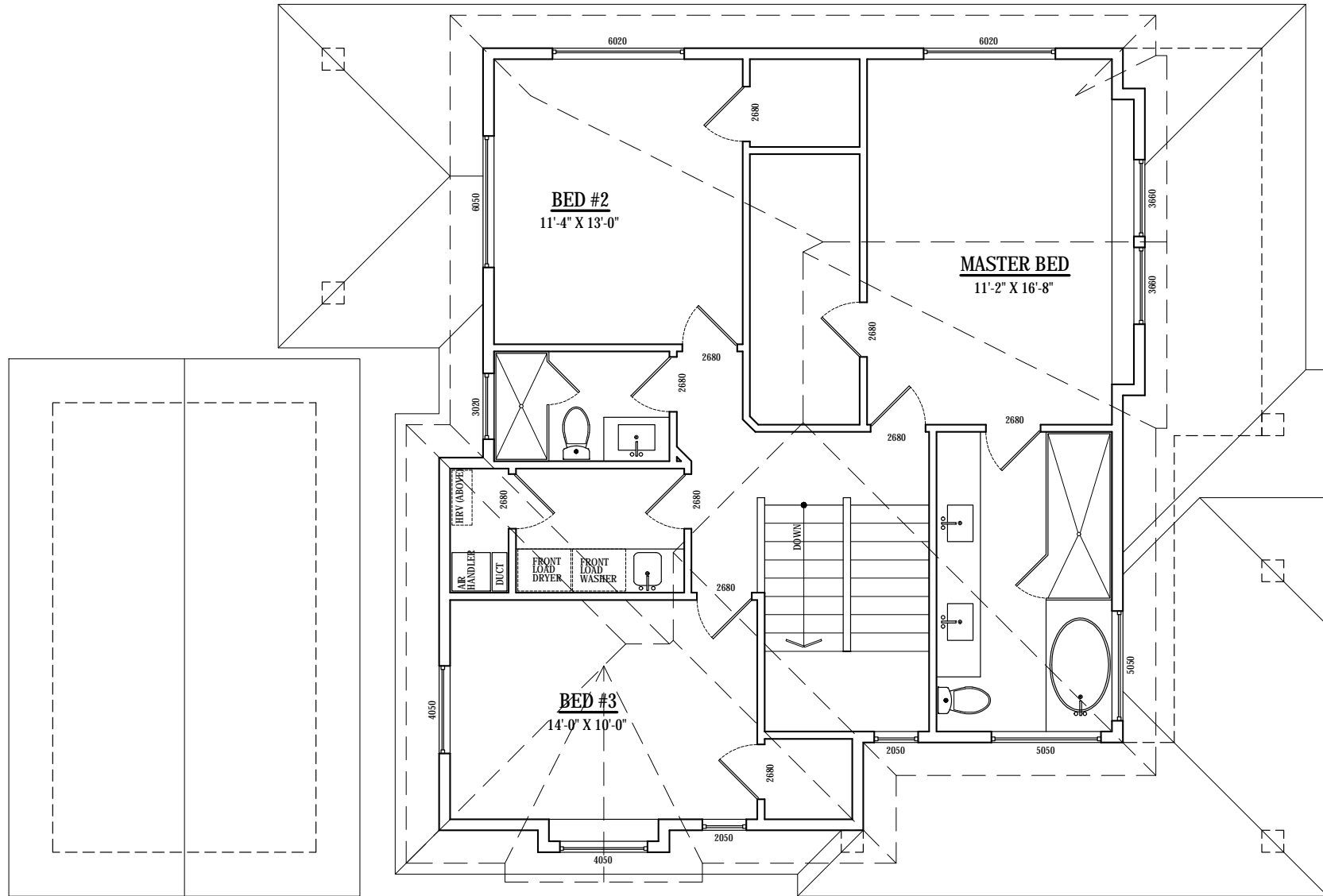
MAIN FLOOR PLAN

FLOOR AREA: 1,179 sq.ft.

GARAGE AREA: 247 sq.ft.

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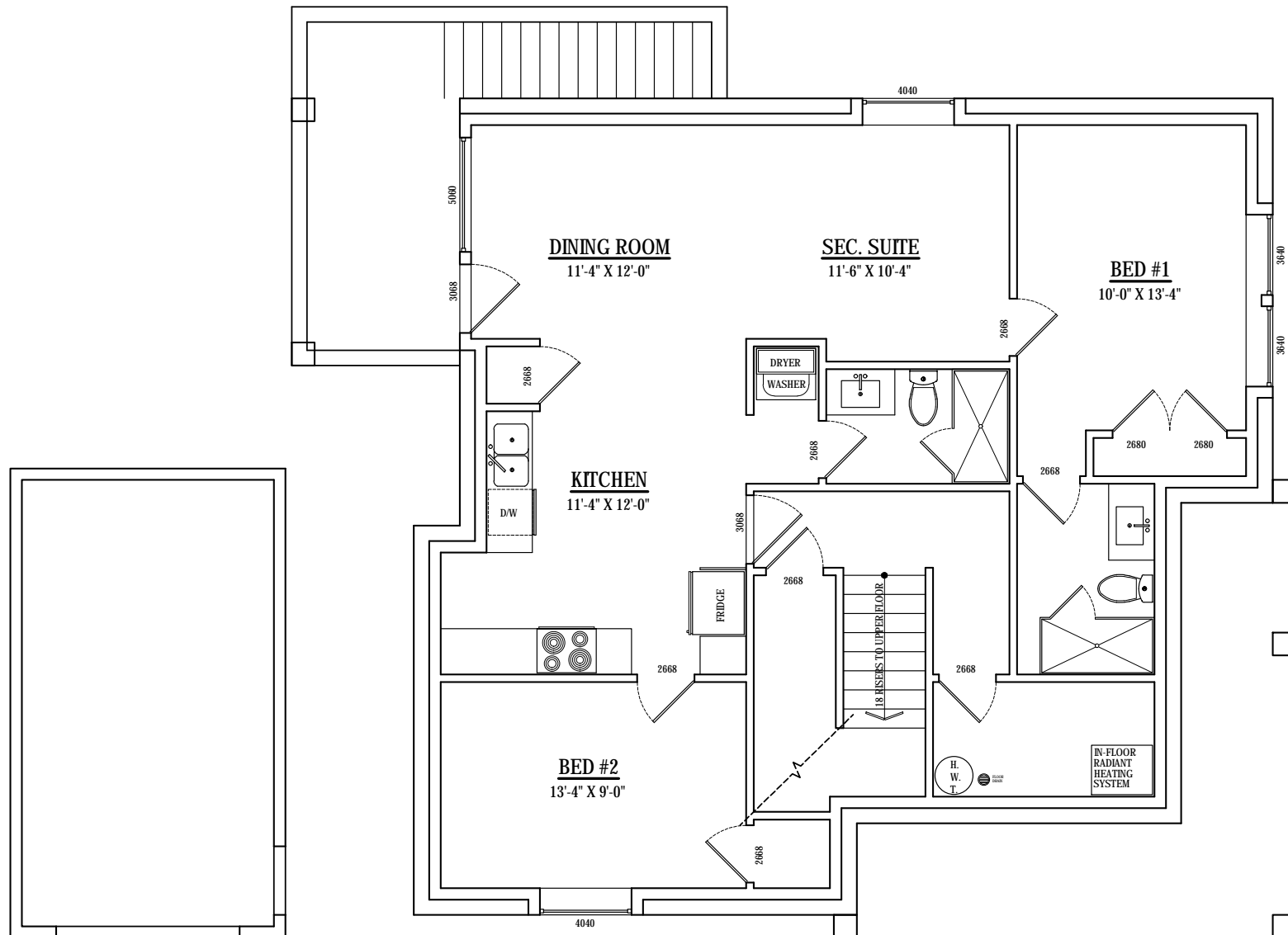


UPPER FLOOR PLAN

FLOOR AREA: 949 sq.ft.

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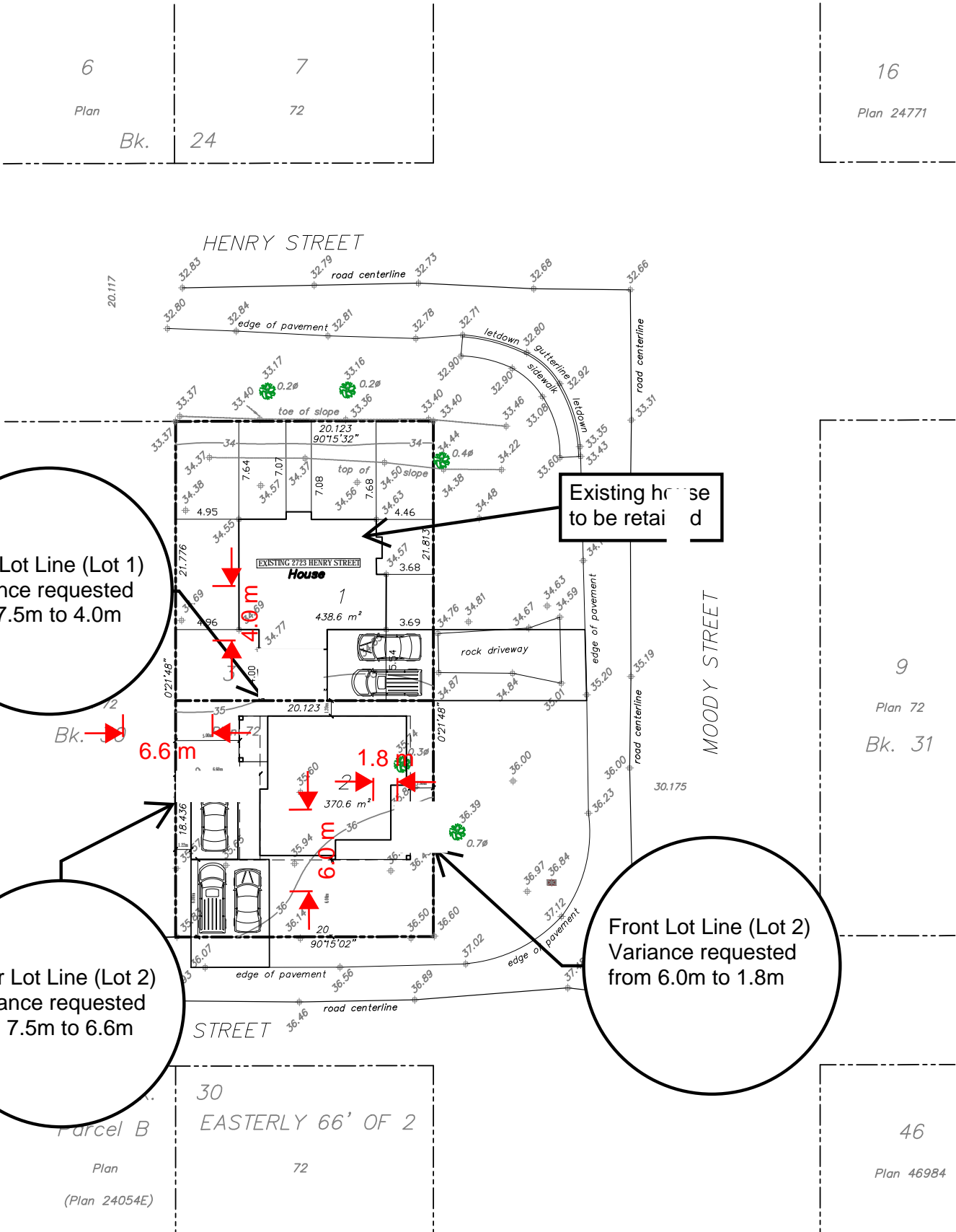


BASEMENT PLAN

FLOOR AREA: 1,179 sq.ft.

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John and Carol Ann Hightower
[REDACTED] Henry Street
Port Moody, BC V3H [REDACTED]

May 6, 2019

City of Port Moody
100 Newport Drive
Port Moody, BC V3H 5C3

Attn: City of Port Moody – Planning & Development

Re: **2723 Henry Street, Port Moody, B.C. – Development Application Rational**
File No. 6700-20-189, 6720-20-127, 3090-20-133, 3060-35-7

Port Moody Staff,

On April 4, 2019 we submitted a development application for [REDACTED] at 2723 Henry Street. The application includes: rezoning from an RS1 to RS1-S, subdivision and development variance permit for setbacks. This letter explains our intentions and rational for the application.

[REDACTED] is on the corner of Moody and Henry Streets with Jane Street at the back of the property. On the Moody side there is a wide boulevard. The house is a 1946 character home which we have restored over the last 18 years. Character elements of the interior include original oak floors with inlay, fir floors and mill work, cedar lined closets, leaded glass windows, plaster walls and coved ceilings. While it is not on the heritage registry, we feel the house's character is an asset to neighborhood.

To allow the retention of the existing character house, we are seeking setback variances to subdivide the property into two square RS1-S lots. The second house would be built at the Moody and Jane Street corner behind the existing house and would have a basement suite and a detached garage. The design of the house would be accessible and be in the form and character of the neighbourhood. The requested setbacks will also allow functional yards for both homes.

We have lived in Moody Centre for over 18 years and do not plan on moving. The second house will be built to accommodate our elderly parents allowing them age to in place near their daughter and grandchildren. In future, the house could allow our children to remain in the area. We have considered a laneway home but the investment is too high for the result (size, function and future potential) and economic risks involved.

We have followed closely Port Moody's council's discussions regarding small lot subdivisions. We support the council's desire to increase the housing units in the Moody Centre area with sensitive infill while retaining the character of the neighbourhood. We believe our application aligns well with Council's direction for our area.

If you have any questions or require further information, please feel free to contact us at [REDACTED].

Sincerely

FIPPA s. 21

John and Carol Ann (Carrie) Hightower