

2023-161-RZ for 12336 Laity Street Zone Amending Bylaw No. 7951-2023

Recommendation:

THAT *Zone Amending Bylaw No. 7951-2023* be given second reading and be forwarded to Public Hearing; and

THAT staff be directed to work with the applicant to address the outstanding terms and conditions as set out in the September 24, 2024 report, and any other as identified by council, prior to recommending bylaw adoption.

Report Purpose and Summary Statement:	To rezone 12336 Laity Street from the RS-1 zone to the R-1 zone to allow a future two lot subdivision.
Previous Council Action:	First Reading on July 11, 2023
Proposed Variance:	N/A
Strategic Alignment:	Liveable Community
Applicable Legislation/Bylaw/Policy:	

To: Mayor and Council

File number: 2023-161-RZ

2023-161-RZ for 12336 Laity Street Zone Amending Bylaw No. 7951-2023

BACKGROUND:

Applicant:	Pav Rakhra	
Legal Description:	Lot 5 District Lot 248 Group 1 New Westminster District Plan 14302	
OCP:		
Existing:	<i>Urban Residential</i>	
Proposed:	<i>Urban Residential</i>	
Within Urban Area Boundary:	Yes	
Area Plan:	N/A	
OCP Major Corridor:	Yes (Laity Street)	
Zoning:		
Existing:	RS-1 (Single Detached Residential)	
Proposed:	R-1 (Single Detached (Low Density) Urban Residential)	
Surrounding Uses:		
North:	Use:	Single Detached Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	<i>Urban Residential</i>
South:	Use:	Single Detached Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	<i>Urban Residential</i>
East:	Use:	Single Detached Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	<i>Urban Residential</i>
West:	Use:	Single Detached Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	<i>Urban Residential</i>
Existing Use of Property:	Single Detached Residential	
Proposed Use of Property:	Single Detached Residential	
Site Area:	0.111 ha (0.27 acres)	
Access:	Laity Street	
Servicing Requirement:	Urban Standard	
Flood Plain:	No	
Fraser Sewer Area:	Yes	

ANALYSIS:

Project Description:

The property located at 12336 Laity Street is an approximately 0.27 acre (1,110 m²) parcel located along Laity Street, north of Dewdney Trunk Road (see Attachment A for subject map). The property is relatively

flat with several mature trees around the perimeter of the property. The neighbourhood is comprised primarily of single detached homes and is nearby to Laity View Elementary and Maple Ridge Secondary with proximity to major transit routes along Dewdney Trunk Road.

This application proposes rezoning the property to the R-1 zone (see Attachment B for Bylaw) to permit a future two lot subdivision. The existing home will be required to be removed as a condition of final adoption of the Rezoning Bylaw. The rezoning to the R-1 zone is supported in the City's *Official Community Plan* due to property's frontage onto Laity Street which is classified as a Major Corridor. The minimum lot area in the proposed R-1 zone is 371 m², the two proposed lots are both approximately 500 m² in lot area (see Attachment C for Preliminary Subdivision Plan). The provided subdivision layout is strictly preliminary and could change after servicing details and analysis reports are reviewed.

The surrounding properties vary in lot area dependent on the age of the development. Properties west of the development site across Laity Street are zoned RS-1 (minimum lot area 668 m²) and contain single detached homes built in the 1980's. Properties adjacent to the development site are also zoned RS-1; however, they have a larger lot area (>1,000 m²) and contain single detached homes predating 1956.

Planning Analysis:

This application received first reading by Council on July 11, 2023 and therefore is exempt from *Local Government Act* Section 464(3) which prohibits Public Hearings for residential rezoning applications which are consistent with the City's *Official Community Plan* (OCP). Should Council grant second reading to this application, a Public Hearing is required.

A Geotechnical Report by Valley Geotechnical dated July 2, 2024 has been provided and states that provided the recommendations in the report are followed, the land can be safely used for the proposed use. The Geotechnical Report is required to be registered as a covenant on the property as a condition of rezoning approval, as the property is located within the Fraser River Escarpment Discharge Area.

Official Community Plan

The property is designated *Urban Residential* and has frontage onto Laity Street, which is classified as a Major Corridor and is therefore subject to the *Official Community Plan's* Major Corridor Residential Infill policies (see Attachment D for OCP designations). Under the Major Corridor policies, the proposed rezoning to the R-1 zone is supported. The subject property is not located within an Area Plan. This application does not require an OCP amendment.

In accordance with OCP Policy 3-20, Major Corridor Residential Infill developments must be designed to be compatible in housing form with the surrounding neighbourhood and include a maximum height of two and one-half storeys for single detached residential developments.

Zoning Bylaw

The proposed subdivision plan includes two R-1 zoned lots which meet the regulations of the Zoning Bylaw as shown in Table 1. Other applicable R-1 zone regulations include a maximum 9.5m building height and 40% of lot area permeable surface requirement.

Table 1: Zoning Bylaw Regulations

	Zoning Bylaw R-1 Zone	Proposed Lot 1	Proposed Lot 2
Lot Area	371 m ²	501.0 m ²	500.6 m ²
Lot Width	12.0 m (non-corner)	12.1 m	12.1 m

Lot Depth	24.0 m	41.3 m	41.3 m
Building Envelope	8 m x 12 m	Meets requirement	Meets requirement

Proposed Variances

There are no proposed variances for this application.

Development Permits

There are no Development Permit requirements for this application.

Parkland Requirement

This application is not required to meet the park dedication requirements of Section 510 of the *Local Government Act* as there are less than three additional lots proposed.

Conditions Precedent to Adoption:

Staff have advised the applicant that adoption of the zoning amendment bylaw will not be recommended unless the following conditions, and any others that council identifies, are met:

- a) Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of a security, as outlined in the Agreement;
- b) Road dedication on Laity Street as required;
- c) Registration of a Restrictive Covenant for the Geotechnical Report, which addresses the suitability of the subject property for the proposed development;
- d) Removal of existing building;
- e) In addition to the Ministry of Environment Site Disclosure Statement, a disclosure statement must be submitted by a Professional Engineer advising whether there is any evidence of underground fuel storage tanks on the subject property. If so, a Stage 1 Site Investigation Report is required to ensure that the subject property is not a contaminated site; and
- f) That a voluntary contribution, in the amount of \$9,200 (\$9,200/newly created lot), or such rate applicable at third reading of this application, be provided in keeping with the *Council Policy 6.31* with regard to Community Amenity Contributions.

Interdepartmental Implications:

Engineering Department

The Engineering Department has indicated that the following servicing upgrades will be required through the Rezoning Servicing Agreement:

- Road dedication as required to meet the design criteria of the *Subdivision and Development Bylaw No. 4800-1993*.
- Utility servicing as required to meet the design criteria of the *Subdivision and Development Bylaw No. 4800-1993*.
- Frontage upgrades to the applicable road standard.

Environment Section

An Arborist Report by Central Valley Tree & Arborist Services dated July 17, 2023 has been provided. Three on-site trees and one off-site tree are planned for removal due to conflicts with the road dedication or building envelope. The developer is required to provide replacement tree(s) for each tree removed as per the City's Tree Management Bylaw.

External Stakeholders/Referrals:

School District No. 42

This application is not required to be referred to the School District as it proposes less than two additional lots.

CONCLUSION:

It is recommended that second reading be given to *Zone Amending Bylaw No. 7951-2023*, and that application 2023-161-RZ be forwarded to Public Hearing.

Prepared by: Erin Mark, Planning Technician

- Attachments:**
- (A) Attachment 1 – Subject Property Map
 - (B) Attachment 2 – Zone Amending Bylaw No. 7951-2023
 - (C) Attachment 3 – Preliminary Subdivision Plan
 - (D) Attachment 4 – OCP Map

Report Approval Details

Document Title:	2023-161-RZ, 12336 Laity Street, RS-1 to R-1.docx
Attachments:	- Attachment A - Subject Map (2023-161-RZ).pdf - Attachment B.1 - Zone Amending Bylaw (2023-161-RZ).pdf - Attachment B.2 - Zone Amending Bylaw Map (2023-161-RZ).pdf - Attachment C - Preliminary Subdivision Plan (2023-161-RZ).pdf - Attachment D - OCP Map (2023-161-RZ).pdf
Final Approval Date:	Sep 13, 2024

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

Marlene Best, Interim Director of Planning

Scott Hartman, Chief Administrative Officer