

2022-195-RZ, 24340 and 24360 102 Avenue, RS-3 to R-3
Second Reading for *Zone Amending Bylaw No. 7903-2023*

Recommendations:

THAT *Zone Amending Bylaw No. 7903-2023* be given second reading and be forwarded to Public Hearing;

THAT staff be directed to work with the applicant to address the outstanding terms and conditions as set out in the February 4, 2025, report and any other as identified by Council, prior to recommending bylaw adoption; and

THAT Council require, as a condition of subdivision approval, the developer to pay to the City an amount that equals 5% of the market value of the land, as determined by an independent appraisal, in lieu of parkland dedication in accordance with Section 510 of the *Local Government Act*.

**Report Purpose and
Summary Statement:**

To rezone the properties located at 24340 and 24360 102 Avenue from RS-3 (Single Detached Rural Residential) to R-3 (Single Detached (Intensive) Urban Residential)

Previous Council Action:

First Reading on January 24, 2023

Proposed Variances:

Zoning Bylaw No. 7600-21019

Part 6, Section 603.4(1)(b)(iii):

- To vary the minimum lot width for a corner lot with lane access from 13.5 m to 11.9 m for Lot 1.

Part 6, Section 603.4(1)(c)(i):

- To vary the minimum lot depth for lots with lane access from 30 m to 28.2 m for Lots 1, 2 and 3; and,
- To vary the minimum lot depth for lots with lane access from 30 m to 28.1 m for Lots 4 and 5.

Part 6, Section 603.7(2)(e):

- To vary the minimum setback between the principal building (house) and accessory building (garage) from 4.5 m to 3.5 m.

Subdivision and Development Services Bylaw No. 4800-1993

Schedule "C" Required Right-of-Way Widths Part 3 Through local Street, Urban Standard

- To vary the required road right-of-way from 18 m to 17.9 m.

Strategic Alignment:

Liveable Community

To: Mayor and Council

File number: 2022-195-RZ

2022-195-RZ, 24340 and 24360 102 Avenue, RS-3 to R-3 Second Reading for Zone Amending Bylaw No. 7903-2023

BACKGROUND:

Applicant:	Aplin & Martin Consultants Ltd (Steven Dindo)		
Legal Description:	Lot 24 Section 3 Township 12 New Westminster District Plan 21429 Lot 25 Section 3 Township 12 New Westminster District Plan 21429		
OCP:			
Existing:	<i>Medium Density Residential</i>		
Proposed:	<i>Medium Density Residential</i> [no change]		
Within Urban Area Boundary:	Yes		
Area Plan:	Albion Area Plan		
OCP Major Corridor:	Yes		
Zoning:			
Existing:	RS-3 (Single Detached Rural Residential)		
Proposed:	R-3 (Single Detached (Intensive) Urban Residential)		
Surrounding Uses:			
North:	Use:	Single Detached Dwelling	
	Zone:	R-3 (Single Detached (Intensive) Urban Residential)	
	Designation:	<i>Medium Density Residential</i>	
South:	Use:	Single Detached Dwelling	
	Zone:	R-3 (Single Detached (Intensive) Urban Residential)	
	Designation:	<i>Medium Density Residential</i>	
East:	Use:	Single Detached Dwelling	
	Zone:	R-3 (Single Detached (Intensive) Urban Residential)	
	Designation:	<i>Medium Density Residential</i>	
West:	Use:	Single Detached Dwelling	
	Zone:	R-3 (Single Detached (Intensive) Urban Residential)	
	Designation:	<i>Medium Density Residential</i>	

Existing Use of Properties:	Single Detached Dwelling
Proposed Use of Properties:	Single Detached Dwelling [no change]
Site Area:	1,687.4 m ² (0.17 ha)
Access:	Lane
Servicing Requirement:	Urban Standard
Flood Plain:	No
Fraser Sewer Area:	Yes

ANALYSIS:

Discussion:

This rezoning application is being considered for second reading only as the application was received prior to July 25, 2023, when *Development Procedures Bylaw No. 5879-1999* was amended to require a complete rezoning application for consideration of first and second reading. As the application was received before November 30, 2023, the application also requires a Public Hearing.

Pursuant to *Council Policy 6.31*, this application is subject to the Community Amenity Contribution (CAC) Program at a rate of \$9,200 per lot. The development is proposing 5 lots which requires an estimated CAC amount of \$27,600.00, or such rate applicable at third reading of this application would be required.

Project Description:

The subject properties, located at 24340 102 Avenue and 24360 102 Avenue, are approximately 1,687.4 m² (0.17 ha) in size and are located at the corner of 102 Avenue and 243B Street (Attachments A and B). The subject properties are located in the Albion Area Plan of the Official Community Plan (OCP), and are bounded by single detached residential (Attachment C). The properties are currently being accessed from 102 Avenue but also have rear lane access. There are existing single detached dwellings and accessory buildings located on the properties, with few trees located along the periphery. Removal of the existing dwellings will be required for the future subdivision application to proceed.

The applicant is proposing to rezone the subject properties from RS-3 to R-3 to permit the subdivision of approximately 5 lots (Attachment D). The proposed site is consistent with the surrounding neighbourhood and continues with a similar lot size and layout along 102 Avenue.

Planning Analysis:

Official Community Plan:

The OCP designates the subject properties as *Medium Density Residential* and the properties are within the Albion Area Plan. The *Medium Density Residential* designation allows for a range of housing styles and densities, including smaller lot single detached housing. The R-3 zone is supported by the Albion Area Plan for properties designated *Medium Density Residential*.

Zoning Bylaw:

The application proposes to rezone the subject properties from RS-3 to R-3 to permit a future subdivision of five lots (Attachment E). The minimum permitted lot size for the current RS-3 zone is 0.8 hectares (1.98 acres), and the minimum lot size for the proposed R-3 zone is 255 m² (0.06 ac). All of the proposed lots meet the minimum lot area requirements: Lot 1 is 327 m² in area, and proposed Lots 2 to 5 are 255 m² in area respectively.

Off-Street Parking and Loading Bylaw:

According to the *Maple Ridge Off-Street Parking and Loading Bylaw No. 4350-1990*, a minimum of two parking spaces per dwelling unit are required. The applicant is providing the required parking spaces in the garages.

One parking space per dwelling unit is required to be roughed-in and capable of providing level 2 charging for electric vehicles. The applicant is providing the required EV charging infrastructure.

Proposed Variances:

The applicant is requesting the following variances:

Zoning Bylaw No. 7600-2019

Part 6, Section 603.4(1)(b)(iii):

- To vary the minimum lot width for a corner lot with lane access from 13.5 m to 11.9 m for Lot 1.

Part 6, Section 603.4(1)(c)(i):

- To vary the minimum lot depth for lots with lane access from 30 m to 28.2 m for Lots 1, 2 and 3; and,
- To vary the minimum lot depth for lots with lane access from 30 m to 28.1 m for Lots 4 and 5.

Part 6, Section 603.7(2)(e):

- To vary the minimum setback between the principal building (house) and accessory building (garage) from 4.5 m to 3.5m.

Subdivision and Development Services Bylaw No. 4800-1993

Schedule "C" Required Right-of-Way Widths Part 3 Through Local Street, Urban Standard

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The proposed variances are being supported by staff and will be the subject of a future Council report for consideration.

Development Permits:

Pursuant to Section 8.8 of the OCP, an Intensive Residential Development Permit application is required for all new intensive residential development (i.e., triplex, fourplex and courtyard housing) to ensure the following:

- Neighbourhood cohesiveness and connectivity should be maintained through the design of varied yet compatible buildings, in materials used and in architectural styles, in landscapes and recreational areas, and by facilitating a range of transportation choices.
- A vibrant street presence is to be maintained through a variety of housing styles, by maintaining street parking and by directing garage structures and off-street parking to the rear of a property accessible by a lane.

The proposed development is similar in size to the adjacent lots.

Parkland Requirement:

As there are more than three additional lots proposed to be created, the developer will be required to comply with the park dedication requirements of Section 510 of the *Local Government Act* prior to subdivision approval.

For this project, there is no suitable land for park dedication on the subject properties, and it is therefore recommended that the Council require the developer to pay the City an amount in lieu equal to the market value of 5% of the land being proposed for subdivision. The amount payable to the City in lieu of park dedication must be derived by an independent appraisal at the developer's expense.

Conditions to be Met Prior to Adoption:

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

- i. Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the security, as outlined in the Agreement;
- ii. Road dedication on 102 Avenue, as required;
- iii. Road dedication off the lane, as required;
- iv. Consolidation of the subject properties;
- v. Registration of a Restrictive Covenant for the Geotechnical Report (and/or floodplain report), which addresses the suitability of the subject property(ies) for the proposed development;
- vi. Removal of existing buildings;
- vii. 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 properties. If so, a Stage 1 Site Investigation Report is required to ensure that the subject property is not a contaminated site; and,
- viii. That a voluntary contribution, in the amount of \$27,600.00 (\$9,200/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.

Environmental Implications:

An arborist report has been provided by the applicant in accordance with the *Maple Ridge Tree Protection and Management Bylaw No. 7133-2015*. A tree permit will be required for the removal, protection and/or compensation of trees. All Engineering servicing and building design shall be coordinated with the approved tree retention/protection, landscaping, and stormwater management plan.

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*; and
- Frontage upgrades to the applicable road standard.

External Referrals:**School District No. 42:**

Pursuant to Section 476 of the *Local Government Act*, consultation with School District No. 42 is required. A referral was sent to School District No. 42, and they provided a response noting the catchment schools and their capacities on January 10, 2024 (Attachment F).

CONCLUSION:

It is recommended that second reading be given to *Zone Amending Bylaw No 7903-2023*, and that application 2022-195-RZ be forwarded to Public Hearing.

It is further recommended that Council require, as a condition of subdivision approval, that the applicant to pay to the City an amount that equals 5% of the market value of the land, as determined by an independent appraisal, in lieu of parkland dedication.

"Rosario Perez"

Prepared by: Rosario Perez, Planning
Technician

Attachments:

- (A) – Subject Map
- (B) – Ortho Map
- (C) – OCP Map
- (D) – *Zone Amending Bylaw No. 7903-2023*
- (E) – Site Plan
- (F) – SD42 Letter

Report Approval Details

Document Title:	2022-195-RZ, 24340 and 24360 102 Ave, RS-3 to R-3.docx
Attachments:	- Attachment A - Subject Map.pdf - Attachment B - Ortho Map.pdf - Attachment C - OCP Map.pdf - Attachment D - Zoning Amending Bylaw No. 7903-2023.pdf - Attachment E - Site Plan.pdf - Attachment F - SD42 Letter.pdf
Final Approval Date:	Jan 23, 2025

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

Alyssa Lillyman, Administrative Assistant

Hasib Nadvi, Associate Director of Building, Development and Planning

James Stiver, Director of Building, Development and Planning

Carolyn Mushata, Director of Legislative Services and Corporate Officer

Scott Hartman, Chief Administrative Officer