

2019-055-VP, 11795 and 11839 267 Street, Development Variance Permit

Recommendation:

THAT the issuance of Development Variance Permit 2019-055-VP for 11795 and 11839 267 Street be approved.

Report Purpose and Summary Statement:

To recommend that the Development Variance Permit application 2019-055-VP, to reduce the required lot width for Proposed Strata Lots 6 and 11, and to reduce the lot depth for Proposed Strata Lot 6, be approved.

Previous Council Action:

Rezoning Application

- First Reading – April 9, 2019
- Second Reading – June 14, 2022
- Public Hearing – July 19, 2022
- Third Reading – July 26, 2022
- Second Reading as amended – February 27, 2024
- Public Hearing – March 12, 2024
- Third Reading – March 26, 2024

Proposed Variances:

Zoning Bylaw No. 7600-2019

- To reduce the required lot width from 36 m to 35 m for Proposed Strata Lot 6 and from 36 m to 32 m for Proposed Strata Lot 11.
- To reduce the required lot depth from 60 m to 53.2 m for Proposed Strata Lot 6.

Strategic Alignment:

Liveable Community

Communications:

A Development Variance Permit notification mailout was forwarded to the owners of adjacent properties.

To: Mayor and Council

File number: 2019-055-VP

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BACKGROUND:

Applicant: Aplin Martin

Legal Description: Lot 2 Section 18 Township 15 New Westminster District Plan 7439; and Lot 4 Except: Parcel A (Statutory Right of Way Plan LMP50235) Section 18 Township 15 New Westminster District Plan 5612.

OCP Designation:

Existing: *Suburban Residential*
Proposed: *Suburban Residential, Park*

Within Urban Area Boundary: No

Area Plan: No

OCP Major Corridor: No

Zoning:

Existing: RS-3 (Single Detached Rural Residential)
Proposed: RS-2 (Single Detached Suburban Residential)

Surrounding Uses:

North:	Use:	Single Detached Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	<i>Suburban Residential</i>
South:	Use:	Single Detached Residential / Kanaka Creek Regional Park
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	<i>Park / Agriculture / Suburban Residential</i>
East:	Use:	Single Detached Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	<i>Suburban Residential</i>
West:	Use:	Vacant / Single Detached Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	<i>Agricultural / Suburban Residential</i>

Existing Use of Property: Single Detached Residential

Proposed Use of Property: Single Detached Residential

Site Area: 9.0 ha

Net Site Area after Dedication:	6.36 ha
Proposed Vehicular Access:	267 Street and 118 Avenue
Servicing Requirement:	Rural Standard
Flood Plain:	No
Fraser Sewer Area:	No
Companion Applications:	2019-055-RZ (Rezoning); 2019-055-SD (Subdivision); 2021-261-DP (Watercourse Protection Development Permit).

ANALYSIS:

Project Description:

The subject Development Variance Permit application is a companion application to rezoning and subdivision applications 2019-055-RZ/SD that propose to rezone 11795 and 11839 267 Street (Attachments A and B) from the RS-3 to the RS-2 zone. The purpose of the rezoning application is to permit a future subdivision of 15 single-detached residential lots on the lands. The proposed development consists of 4 fee-simple lots and 11 bare land strata lots with a minimum lot area of 0.4 ha (Attachment C). Adoption of *Official Community Plan Amending Bylaw No. 7834-2022* to redesignate portions of the subject properties to Park, and *Zone Amending Bylaw No. 7539-2019* to rezone the subject properties to RS-2, will be considered by Council at its meeting on May 13, 2025.

The subject properties are located outside of the City's Urban Area Boundary and are currently designated *Suburban Residential*. Pokey Creek, a mainstem watercourse to Kanaka Creek, traverses the eastern edge of 11795 267 Street. The future subdivision lots will be encumbered by a required Tree Protection Covenant, Storm Drainage Statutory Right of Way, and ALR Buffer Covenant as shown on the subdivision concept plan (Attachment C).

A 2.12 ha parcel of Park-Conservation lands will be dedicated to the City as a condition of the rezoning application. These lands provide a Streamside Protection Area for the watercourse and an environmental protection setback to Kanaka Creek Regional Park to the west and south. Portions of the Park-Conservation lands are suitable for publicly accessible future trail connections.

Zoning Bylaw:

The proposed RS-2 zone provides for suburban single-detached residential uses outside of the Urban Area Boundary with a minimum lot area requirement of 0.4 ha. Zoning Bylaw requirements for the proposed RS-2 zone include a minimum lot width of 36 m and lot depth of 60 m. The proposed development will be serviced by municipal water with private sanitary sewer (septic) systems required on each lot.

The proposed lots are located outside of the Urban Area Boundary and Regional Urban Containment Boundary and are not eligible for urban-level densities, including the Urban Infill Residential use (i.e., small-scale multi-unit housing).

Proposed Variances:

A Development Variance Permit is a permit authorized by Council that varies City bylaw requirements. A Development Variance Permit cannot vary land use, density, or flood plain requirements. The applicant is proposing three variances to the RS-2 zone lot dimension requirements contained in the Zoning Bylaw (Attachment D). The requested variances (Table 1) and rationale for support are described below.

Table 1. Proposed Variances

Maple Ridge Zoning Bylaw No. 7600-2019, Part 6, Section 610.4(b):	
1.	To reduce the required lot width in the RS-2 zone from 36.0 m to 35.0 m for Proposed Strata Lot 6.
2.	To reduce the required lot width in the RS-2 zone from 36.0 m to 32.0 m for Proposed Strata Lot 11.
Maple Ridge Zoning Bylaw No. 7600-2019, Part 6, Section 610.4(c):	
3.	To reduce the required lot depth in the RS-2 zone from 60.0 m to 53.2 m for Proposed Strata Lot 6.

The proposed subdivision will extend 118 Avenue through a road dedication, which abuts proposed Lot 11. The proposed variances are supported by staff as these are large rural lots that provide a sufficient building envelope (min 12.0 m x 15.0 m). Proposed Lot 6 is a pie-shaped lot with a minor variance to the lot width and a reduced lot depth due to the required Park-Conservation dedication on the east and south.

In accordance with the *Development Procedures Bylaw No. 5879-1999*, notice of Council consideration of a resolution to issue a Development Variance Permit was mailed to all owners or tenants in occupation of all parcels, any parts of which are adjacent to the property that is subject to the permit.

CONCLUSION:

It is recommended that Council authorize Development Variance Permit 2019-055-VP (Attachment E) as the proposed variances are deemed minor in nature, provide a sufficient building envelope, and accommodate the required environmental setback and tree protection areas.

Prepared by: Erin Mark, Planning
Technician

Attachments:

- (A) Location Map
- (B) Aerial Photo
- (C) Subdivision Concept Plan
- (D) Proposed Variances
- (E) Draft Development Variance Permit

Report Approval Details

Document Title:	2019-055-VP, 11795 and 11839 267 Street, Development Variance Permit.docx
Attachments:	<ul style="list-style-type: none">- Attachment A - Location Map.pdf- Attachment B - Aerial Photo.pdf- Attachment C - Subdivision Concept.pdf- Attachment D - Proposed Variances.pdf- Attachment E - Draft Development Variance Permit.pdf
Final Approval Date:	Apr 28, 2025

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

Hasib Nadvi, Deputy Director of Planning and Building

James Stiver, Director of Planning and Building

Carolyn Mushata, Director of Legislative Services and Corporate Officer

Scott Hartman, Chief Administrative Officer