

2022-434-RZ, 24369 110 Avenue
Zone Amending Bylaw No. 7901-2023

Recommendations:

THAT *Zone Amending Bylaw No. 7901-2023* be given second reading, as amended 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 April 15, 2025 report, and any other as identified by Council, prior to recommending the bylaw adoption.

Executive Summary:	Application 2022-434-RZ proposes to rezone 24369 110 Avenue, from (RS-3) Single Detached Rural Residential Zone to (RS-1d) Single Detached (Half Acre) Residential Zone, to facilitate an eight-lot subdivision
Previous Council Action:	Council granted first reading on February 14, 2023
Proposed Variances:	A Development Variance Permit application has been submitted for this project and involves relaxations for the minimum front lot line and building envelope.
Strategic Alignment:	Liveable Community
Environmental/Climate Impact:	Parkland-Conservation dedication of 0.36 ha
Communications:	Public notification will be sent out ten days before the Public Hearing to the residents within 50 metres of the subject property.

To: Mayor and Council

File number: 2022-434-RZ

2022-434-RZ, 24369 110 Avenue

Zone Amending Bylaw No. 7901-2023

BACKGROUND:

Applicant: Don Bowins
 Property Owner: Pragati Holdings Ltd. Inc No. BC1064679

Legal Description: Lot 4 Section 10 Township 12 New Westminster District
 Plan NWP7408

OCP Designation: *Low Density Residential and Conservation* [no change]

Within Urban Area Boundary: Yes

Area Plan: Albion

OCP Major Corridor: No

Zoning:

Existing: RS-3 (Single Detached Rural Residential)
 Proposed: RS-1d (Single Detached (Half Acre) Residential) with Albion
 Density Bonus provision to RS-1b (Single Detached
 (Medium Density) Residential) sized lots.

Surrounding Uses:

North:	Use:	Dedicated Park
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	<i>Conservation</i>
South:	Use: Single	Detached Rural Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	<i>Low Density Residential</i>
East:	Use:	Single Detached Residential
	Zone:	RS-1d (Single Detached (Half Acre) Residential)
	Designation:	<i>Low Density Residential</i>
West:	Use:	Single Detached Residential and Park
	Zone:	RS-1d Single Detached (Half Acre) Residential) and RS-3 (Single Detached Rural Residential
	Designation:	<i>Low Density Residential and Conservation</i>

Existing Use of Property: Vacant Lot
 Proposed Use of Property: Single Detached Residential and Conservation
 Site Area: 1.06 ha
 Net Site Area after dedication: 0.46 ha
 Access: 110 Avenue

Servicing Requirement:	Urban Standard
Flood Plain:	No
Fraser Sewer Area:	Yes

Project Description:

Site Context:

The subject property is located at 24369 110 Avenue on the north side of 110 Avenue (Attachments A & B), and located within the Albion Area Plan. The subject property is approximately 1.08 ha in area and is currently undeveloped and covered by vegetation. The surrounding area is a new single detached residential neighbourhood with a mix of new smaller developments and older larger established single detached properties. The property is bordered by Dunlop Creek to the north, Kanaka Creek Regional Park is located across 110 Avenue to the south, and Tsuyuki Park is approximately 600 m to the northwest. Ćasqanelə Elementary School and Samuel Roberts Technical Secondary School are located approximately 1 km to the south. Commercial services are available along Kanaka Way/112 Avenue and 240 Street to the northwest.

Proposal:

The applicant has applied to rezone the subject property from the RS-3 (Single Detached Rural Residential) to the RS-1d (Single Detached (Half Acre) Residential) with a Density Bonus to facilitate an eight-lot subdivision. The proposed development will complete the Cameron Court/Jenewein Drive extension. The extension will facilitate the required road to enable a single detached subdivision to the west, which has similarly sized lots under the Density Bonus provisions of the RS-1d zone. The provided subdivision layout is preliminary and could change after servicing details and analysis reports are reviewed.

PLANNING ANALYSIS:

Discussion:

Pursuant to Section 464 of the *Local Government Act*, a public hearing must be held for the application to allow the public the opportunity to comment on the proposed bylaw and the development. The Bill 44 exemption, which prohibits public hearings for residential developments consistent with the Official Community Plan (OCP), does not apply to rezoning applications that received first reading before November 30, 2023 (i.e., the date of Bill 44 adoption). Since Council granted first reading for this rezoning application on February 14, 2023, it does not qualify for the public hearing exemption.

Official Community Plan:

The subject property is currently designated *Low Density Residential* (89%) and *Conservation* (11%) and is located within the Albion Area Plan (Attachment C). The Albion Area Plan was created to balance the needs of new residential development to meet diverse housing needs while protecting environmentally sensitive areas. The *Low Density Residential* designation supports the proposed development under the RS-1d zone, utilizing the Albion Area Density Bonus to RS-1b zone sized lots. The proposal to rezone to the RS-1b zone is consistent with the OCP and the Albion Area Plan.

The *Conservation* designation identifies ecologically sensitive lands that require protection to ensure that their health, diversity and integrity are maintained. They are considered to be of high environmental or geological sensitivity. The portion of the land that will be dedicated to the City as Park-Conservation land is currently designated *Low Density Residential* in the OCP and is located outside of the area that is currently designated *Conservation*.

As per Section 401.2 of *Zoning Bylaw No. 7600-2019*, a Park use, defined as a use providing land set aside for public use, is permitted in all zones, including the existing RS-3 zoning to remain on the Park-Conservation lot; therefore, an amendment to the Zoning Bylaw and OCP is not required for that area. Given this, an OCP Amendment application, including a Public Hearing, is not required to redesignate the *Low Density Residential* to *Conservation*.

The subject application includes a positive gain to the City through the 0.35 ha Park-Conservation dedication as shown in Attachment D. The Park-Conservation dedication represents 37% of the site's gross area.

Zoning Bylaw:

The application proposes to rezone the property from the RS-3 zone to the RS-1d zone with a Density Bonus to the RS-1b zone to permit the future subdivision of eight residential lots (Attachment E).

The application of the Density Bonus, which is specific to the Albion Area Plan, will permit the applicant to reduce the single-detached lot size from the RS-1d density of 2,000 m² to 557 m². An Amenity Contribution of \$3,100.00 per lot for each lot that is less than 2,000 m² is required. This amounts to \$24,800.00 which shall be due at the time of subdivision approval by the Approving Officer.

Off-Street Parking and Loading Bylaw:

The *Off-Street Parking Bylaw No 4350-1990* requires that 2 spaces of off-street parking be provided per dwelling unit for Single Detached Residential, and if a Secondary Suite is proposed at the time of the Building Permit application, an additional off-street parking space will be required. 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:

A Development Variance Permit application has been received for this project and involves relaxations for the minimum front lot line and building envelope, as follows.

The applicant is requesting the following variances to *Zoning Bylaw No. 7600-2019 (Part 6, Section 609.4.2.b)*:

- a) Lot 6: Minimum Lot width from 15.0 m to 14.33 m
- b) Lot 7: Minimum Lot width from 15.0 m to 14.22 m
- c) Lot 8: Minimum Lot width from 15.0 m to 14.42 m

The applicant is requesting the following variances to *Maple Ridge Zoning Bylaw No. 7600-2019 (Part 4, Section 407.1.a.(ii))*:

To vary the minimum building envelope from 12 m by 12 m (Area: 144 m²) in the RS-1b zone for:

- a) Lot 6: 11.30 m by 12.0 m (Area: 250 m²)
- b) Lot 7: 11.22 m by 12.0 m (Area: 261 m²)
- c) Lot 8: 11.34 m by 12.0 m (Area 287 m²)

The proposed variances are being supported by staff as they allow for an adequate environmental setback to the environmentally sensitive area while providing a sufficient building envelope for the proposed lots. The requested variances will be the subject of a future Council report for consideration.

Community Amenity Contributions:

As per Council Policy 6.31 *Community Amenity Contribution Program*, Community Amenity Contributions (CACs) apply to all residential development. CACs contribute to the following amenities: Civic Facilities, Public Art, Acquisition of Civic Land, Park Construction and Maintenance, Affordable Housing, Heritage Conservation, and/or Ecological Conservation.

The CAC rate for Single Family Development, which came into effect on August 1, 2023, is \$9,200.00/ per lot. The Albion Area Plan has an additional Density Bonus framework on top of the CACs of \$3,100.00/ per single-detached lot created. The applicant will be providing a voluntary CAC of \$73,600.00 (\$9,200.00 per lot) and \$24,800.00 (\$3,100.00 per lot) as a Density Bonus.

Development Permits:

Pursuant to Sections 8.9 and 8.10 of the OCP, a combined Watercourse Protection and Natural Features Development Permit is required for the proposed development. The purpose of the Environmental Development Permits is to ensure the preservation, protection, restoration, and enhancement of the natural environment, watercourses, and riparian areas. A combined Watercourse Protection and Natural Features Development Permit, the consideration of which has been delegated to the Director of Planning and Building, would be considered should the Zone Amending Bylaw receive third reading.

Parkland Requirement:

As there are more than three additional lots proposed to be created, the developer will be required to comply with the parkland dedication requirements of Section 510 of the *Local Government Act* prior to subdivision approval. For this development, there is sufficient land that is proposed to be dedicated to the City as a fee simple lot on the subject property, and the dedication of this land will be a condition of final reading.

Development Information Meeting:

A Development Information Meeting was held at Albion Elementary School on Monday, January 20, 2025. The applicant sent out 107 notices to the surrounding neighbourhood, and ads were placed in the Maple Ridge News on January 10 and 17, 2025. The applicant reports that there were four attendees as per the attached sign-in sheet (Attachment F). No comments or correspondence were sent to the applicant.

Conditions to be Met Prior to Adoption:

Staff recommend the following conditions, and any additional conditions that Council identifies, to be met before consideration of the final reading. The applicant has been advised as such.

- a) The registration of the following Legal Documents:
 - i. Restrictive covenant for the geotechnical report;
 - ii. Restrictive covenant for the protection of the environmentally sensitive area;
 - iii. Restrictive covenant for tree protection;
 - iv. Restrictive covenant for the stormwater management plan;
 - v. Restrictive covenant for the rezoning servicing agreement and receipt of the security deposit, as outlined in the Agreement. The following servicing upgrades will be required through the 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.
- b) 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;
- c) A voluntary contribution, in the amount of \$73,600.00 (i.e., \$9,200.00/lot), or such rate that is applicable at the third reading of this application, be provided in keeping with Council Policy 6.31 with regards to Community Amenity Contributions;
- d) That payment of the Albion Area Density Bonus contribution, in the amount of \$24,800.00 (i.e., \$3,100.00 per lot), or such rate that is applicable at third reading of the bylaw, be provided; and
- e) The Park Conservation dedication as a fee simple lot transferred to the City, as required, and the removal of all debris and garbage from the lands.

EXTERNAL REFERRALS:

School District No. 42:

Staff referred this application to School District No. 42 on October 8, 2024, and received a response on October 23, 2024, noting the catchment schools and their capacities at the time of referral (Attachment G).

CONCLUSION:

Staff support the rezoning of the subject property from RS-3 (Single Detached Rural Residential) to RS-1d (Single Detached (Half Acre) Residential) to facilitate an eight-lot residential subdivision. Given that the proposed development is consistent with the Albion Area Plan and is in keeping with the OCP that encourages density within the Urban Area Boundary, staff recommend that second reading be given to *Zone Amending Bylaw No. 7901-2023* and that it be forwarded to Public Hearing.

"Nicolas Wilding"

Prepared by: Nicolas Wilding, Planner 1

Attachments:

- (A) Location Map
- (B) Aerial Photo
- (C) OCP and Zoning Map
- (D) Park-Conservation Dedication Area
- (E) Preliminary Subdivision Plan
- (F) Development Information Meeting Comments
- (G) School District 42 Comments
- (H) *Zoning Amending Bylaw No. 7901-2023*

Report Approval Details

Document Title:	2022-434 24369 110 Avenue Second Reading .docx
Attachments:	<ul style="list-style-type: none">- A - Location Map.pdf- B - Aerial Photo Map.pdf- C - OCP and Zoning Map.pdf- D - Park-Conservation Dedication Map.pdf- E - Preliminary Site Plan.pdf- F - DIM Meeting Summary.pdf- G - School District 42 Comments.pdf- H - Zone Amending Bylaw 7901-2023.pdf
Final Approval Date:	Apr 2, 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