



**City of Maple Ridge**

# **PUBLIC HEARING**

**July 17, 2018**

CITY OF MAPLE RIDGE

***PUBLIC HEARING AGENDA  
July 17, 2018  
7:00 pm  
Council Chambers, 1<sup>st</sup> Floor, City Hall***

*The purpose of the Public Hearing is to allow all persons who deem themselves affected by any of these bylaws a reasonable opportunity to be heard before Council on the matters contained in the bylaws. Persons wishing to speak for or against a bylaw will be given opportunities. You will be asked to give your name and address. Please note that all written submissions provided in response to this consultation including names and addresses will become part of the public record which includes the submissions being made available for public inspection. Further consideration of bylaws on this agenda will be at the next regular Council meeting. The meeting is recorded by the City of Maple Ridge.*

- 1) **2017-066-RZ**  
**21241 Wicklund Avenue**  
Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112

**Maple Ridge Zone Amending Bylaw No. 7328-2017**

That PART 6, RESIDENTIAL ZONES, SECTION 601, ONE FAMILY AND TWO FAMILY RESIDENTIAL ZONES, Sub-Section (C) REGULATIONS FOR THE SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES, item 4) Buildings and Structures for Two Family Residential Use in the RT-1 Zone is amended by deleting clause (d) and replacing it with the following clauses:

“(d) shall not be permitted on a lot less than 750 m<sup>2</sup>.

(e) notwithstanding item (d) above, lots located within the Town Centre, as identified on Schedule H, which are either a corner lot or provided with lane access, shall not be permitted on a lot less than 557 m<sup>2</sup>”.

To Amend Schedule “D” **MINIMUM LOT AREA AND DIMENSIONS** by deleting the line:

“RT-1	22m	30m	891m <sup>2</sup> ”
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Replacing it as follows:

“RT-1	20 m	27m	750 m <sup>2</sup>	See item 7 below”
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To Amend Schedule “D” **MINIMUM LOT AREA AND DIMENSIONS** by inserting a new item 7, after item 6 as follows:

“7. For lots located within the Town Centre, as identified on Schedule H, which are either a corner lot or provided with lane access, shall not be less than 557 m<sup>2</sup>”.

**Maple Ridge Zone Amending Bylaw No. 7322-2017**

To rezone from RS-1 (One Family Urban Residential) to RT-1 (Two Family Urban Residential). The current application is to permit the development of a duplex.

That PART 6, RESIDENTIAL ZONES, SECTION 601, Sub-Section (C) REGULATIONS FOR THE SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES, Clause (4) Buildings and Structures for Two Family Residential Use in the RT-1 Zone is amended by the addition of the following sub-clause in correct alphabetical order:

Notwithstanding the above, shall not be permitted on a lot less than 742 m<sup>2</sup>, for the parcel or tract of land described as Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112

2) **2015-373-RZ**

**23616 132 Avenue**

Lot 1 Except: Parcel "A" (Explanatory Plan 13725), South East Quarter Section 28 Township 12 New Westminster District Plan 2637

**Maple Ridge Official Community Plan Amending Bylaw No. 7469-2018**

Schedule "A", Chapter 10.3, Part VI, A – Silver Valley, Figure 2 - Land Use Plan, is hereby amended from Medium/High Density Residential and Conservation to Conservation/Low Density Urban and Medium/High Density Residential

Schedule "A", Chapter 10.3, Part VI, A – Silver Valley, Figure 4 – Trails / Open Space is hereby To Add To Conservation and To Remove From Conservation

**Maple Ridge Zone Amending Bylaw No. 7195-2015**

To rezone from RS-2 (One Family Suburban Residential) to RM-1 (Townhouse Residential) and R-1 (Residential District). The current application is to permit a 16 unit townhouse project and one lot accommodating an existing single residential dwelling.

3) **2018-122-RZ**

**12419 Garibaldi Street**

Lot 37 District Lot 6881 Group 1 New Westminster District Plan 57415

**Maple Ridge Zone Amending Bylaw No. 7451-2018**

To rezone from RS-3 (One Family Rural Residential) to RS-2 (One Family Suburban Residential). The current application is to permit a future subdivision of approximately 2 lots.

- 4) **2018-200-RZ**  
**26378 126 Avenue**  
Lot 34 Except: Part Subdivided by Plan BCP13892, Section 24 Township 12  
New Westminster District Plan LMP19841

**Maple Ridge Zone Amending Bylaw No. 7472-2018**  
PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- i. At 26378 – 126<sup>th</sup> Avenue (Lot 34, Except: Part Subdivided by Plan BCP13892, Section 24, Township 12, New Westminster District, Plan LMP19841) a Detached Garden Suite with a maximum Gross Floor Area of 140m<sup>2</sup> (1500 ft<sup>2</sup>) and a maximum building height of 7.5 metres from ground level is permitted.

**23525 Dogwood Avenue**  
Lot “B” Section 28 Township 12 New Westminster District Plan 6734

**Maple Ridge Zone Amending Bylaw No. 7473-2018**  
PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- ii. At 23525 Dogwood Avenue (Lot “B” Section 28 Township 12 New Westminster District Plan 6734) a Detached Garden Suite with a maximum Gross Floor Area of 140m<sup>2</sup> (1500 ft<sup>2</sup>) located in the front yard is permitted.

**10861 Morrisette Place**

Lot 8 Section 11 Township 12 New Westminster District Plan EPP67241

**Maple Ridge Zone Amending Bylaw No. 7475-2018**

PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- iv. At 10861 Morrisette Place (Lot 8 Section 11 Township 12 New Westminster District Plan EPP67241) a Detached Garden Suite constructed above a garage with a maximum building height of 6.5 metres is permitted. A secondary suite within the principal dwelling unit is also permitted on this property.

**CITY OF MAPLE RIDGE**

**NOTICE OF PUBLIC HEARING**

**TAKE NOTICE THAT** a Public Hearing will be held in the Council Chamber of the City Hall, 11995 Haney Place, Maple Ridge, North-East corner entrance, at 7:00 pm., Tuesday, July 17, 2018 to consider the following bylaws:

- 1) **2017-066-RZ**  
**21241 Wicklund Avenue**  
Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112



**Maple Ridge Zone Amending Bylaw No. 7328-2017**

That PART 6, RESIDENTIAL ZONES, SECTION 601, ONE FAMILY AND TWO FAMILY RESIDENTIAL ZONES, Sub-Section (C) REGULATIONS FOR THE SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES, item 4) Buildings and Structures for Two Family Residential Use in the RT-1 Zone is amended by deleting clause (d) and replacing it with the following clauses:

“(d) shall not be permitted on a lot less than 750 m<sup>2</sup>.

(e) notwithstanding item (d) above, lots located within the Town Centre, as identified on Schedule H, which are either a corner lot or provided with lane access, shall not be permitted on a lot less than 557 m<sup>2</sup>”.

To Amend Schedule “D” **MINIMUM LOT AREA AND DIMENSIONS** by deleting the line:

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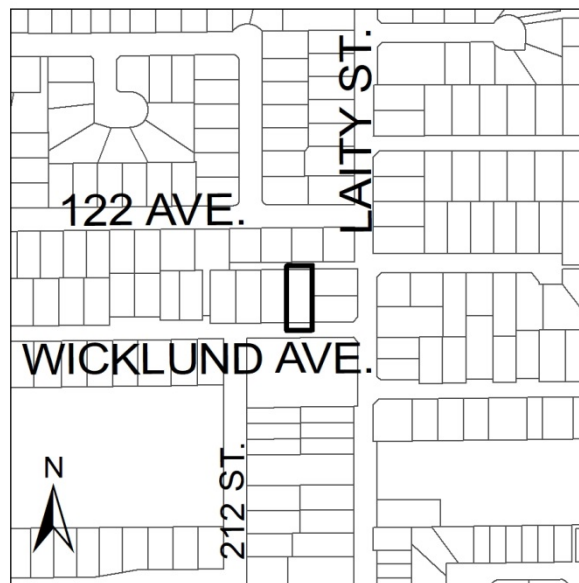
“7. For lots located within the Town Centre, as identified on Schedule H, which are either a corner lot or provided with lane access, shall not be less than 557 m<sup>2</sup>”.

**Maple Ridge Zone Amending Bylaw No. 7322-2017**

To rezone from RS-1 (One Family Urban Residential) to RT-1 (Two Family Urban Residential). The current application is to permit the development of a duplex.

That PART 6, RESIDENTIAL ZONES, SECTION 601, Sub-Section (C) REGULATIONS FOR THE SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES, Clause (4) Buildings and Structures for Two Family Residential Use in the RT-1 Zone is amended by the addition of the following sub-clause in correct alphabetical order:

Notwithstanding the above, shall not be permitted on a lot less than 742 m<sup>2</sup>, for the parcel or tract of land described as Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112



2)

2015-373-RZ




23616 132 Avenue



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Township 12 New Westminster District Plan 2637

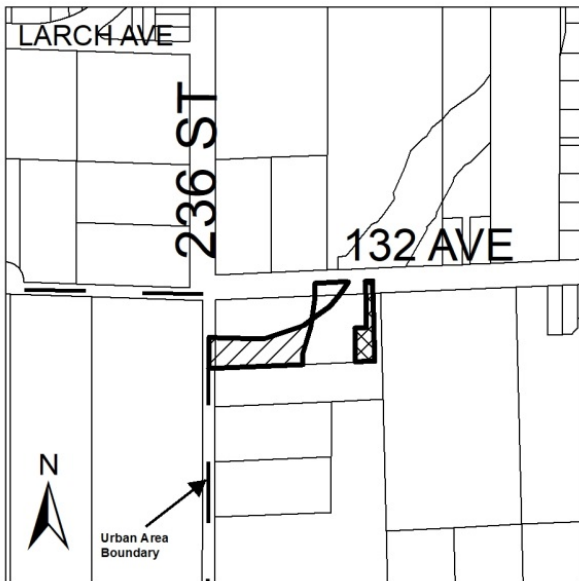


**Maple Ridge Official Community Plan Amending Bylaw No. 7469-2018**

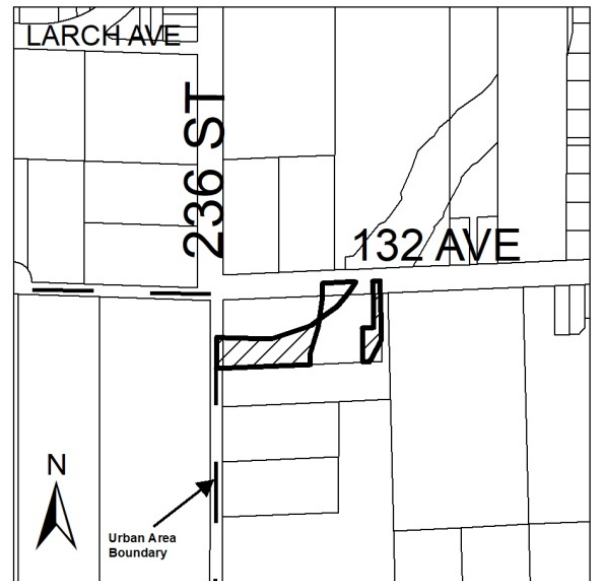
Schedule "A", Chapter 10.3, Part VI, A – Silver Valley, Figure 2 - Land Use Plan, is hereby amended from Medium/High Density Residential and Conservation to Conservation/Low

Density Urban   and Medium/High Density Residential  (shown on Map 976)

Schedule "A", Chapter 10.3, Part VI, A – Silver Valley, Figure 4 – Trails / Open Space is hereby To Add To Conservation  and To Remove From Conservation  (shown on Map 977)



Map No. 976





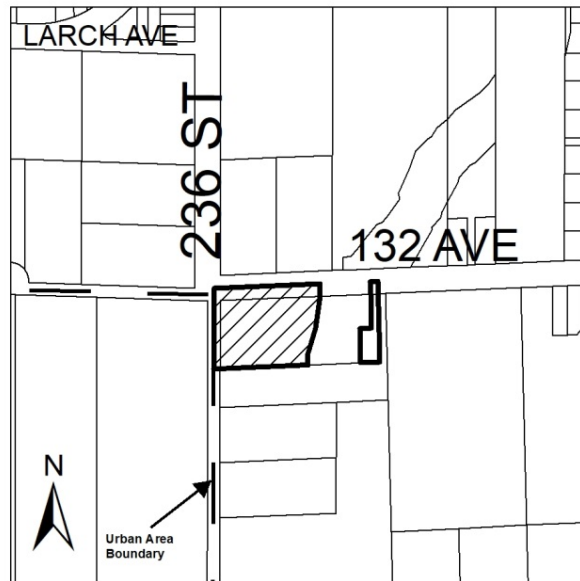
Map No. 977



**Maple Ridge Zone Amending Bylaw No. 7195-2015**

To rezone from RS-2 (One Family Suburban Residential) to RM-1 (Townhouse

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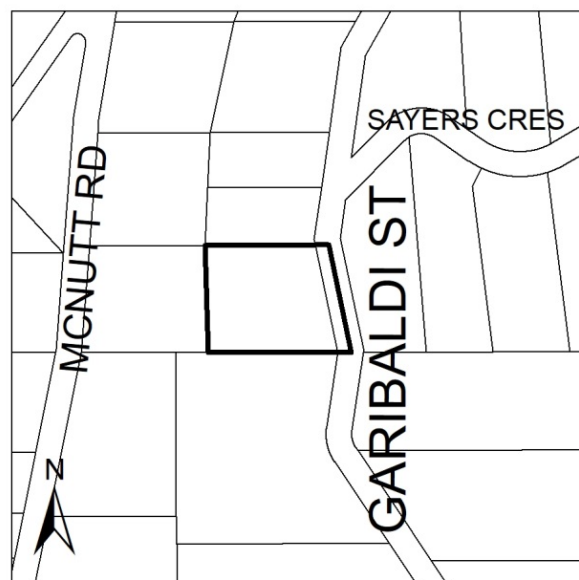


- 3) **2018-122-RZ**  
**12419 Garibaldi Street**  
Lot 37 District Lot 6881 Group 1 New Westminster District Plan 57415



**Maple Ridge Zone Amending Bylaw No. 7451-2018**

To rezone from RS-3 (One Family Rural Residential) to RS-2 (One Family Suburban Residential). The current application is to permit a future subdivision of approximately 2 lots.



4)

**2018-200-RZ**

**26378 126 Avenue**

Lot 34 Except: Part Subdivided by Plan BCP13892, Section 24 Township 12  
New Westminster District Plan LMP19841



**Maple Ridge Zone Amending Bylaw No. 7472-2018**

PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

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- i. At 26378 – 126<sup>th</sup> Avenue (Lot 34, Except: Part Subdivided by Plan BCP13892, Section 24, Township 12, New Westminster District, Plan LMP19841) a Detached Garden Suite with a maximum Gross Floor Area of 140m<sup>2</sup> (1500 ft<sup>2</sup>) and a maximum building height of 7.5 metres from ground level is permitted.

**23525 Dogwood Avenue**

Lot “B” Section 28 Township 12 New Westminster District Plan 6734

**Maple Ridge Zone Amending Bylaw No. 7473-2018**

PART 4 GENERAL REGULATIONS, is amended as follows:

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The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- ii. At 23525 Dogwood Avenue (Lot “B” Section 28 Township 12 New Westminster District Plan 6734) a Detached Garden Suite with a maximum Gross Floor Area of 140m<sup>2</sup> (1500 ft<sup>2</sup>) located in the front yard is permitted.

**10861 Morrisette Place**

Lot 8 Section 11 Township 12 New Westminster District Plan EPP67241

**Maple Ridge Zone Amending Bylaw No. 7475-2018**

PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- iv. At 10861 Morrisette Place (Lot 8 Section 11 Township 12 New Westminster District Plan EPP67241) a Detached Garden Suite constructed above a garage with a maximum building height of 6.5 metres is permitted. A secondary suite within the principal dwelling unit is also permitted on this property.

**AND FURTHER TAKE NOTICE** that a copy of the aforesaid bylaws and copies of staff reports and other information considered by Council relevant to the matters contained in the bylaws will also be available for public inspection at the Planning Department Counter of City Hall, between 8:00 am and 4:00 pm from July 6, 2018 to July 17, 2018, weekends and Statutory Holidays excepted. The Public Hearing Agenda with full reports can be viewed on the City website at [\*www.mapleridge.ca/640\*](http://www.mapleridge.ca/640).

**ALL PERSONS** who deem themselves affected by any of these bylaws shall be afforded a reasonable opportunity to be heard at the Public Hearing before Council on the matters contained in the bylaws or by making a written submission to the attention of the Corporate Officer or by sending an email to the Clerk's Department at [\*clerks@mapleridge.ca\*](mailto:clerks@mapleridge.ca), by 4:00 pm, July 17, 2018. Please note that all written submissions provided in response to this consultation will become part of the public record which includes the submissions being made available for public inspection.

Dated this 6<sup>th</sup> day of July, 2018.

Darrell Denton  
Acting Corporate Officer

**DEVELOPMENT APPLICATION CHECKLIST**  
**FOR FILE 2017-066-RZ**  
**File Manager: Adam Rieu**

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<b>Official Community Plan or Zoning Bylaw Amendments:</b>	<b>RECEIVED</b>	<b>NOT REQUIRED</b>
1. A completed Application Form (Schedule "A" – Development Procedures Bylaw No. 5879-1999)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. An application fee, payable to the City of Maple Ridge, in accordance with Development Application Fee Bylaw no. 5949-2001.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. A Certificate of Title and Consent Form if the applicant is different from the owner shown on the Certificate of Title.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. A legal survey of the property(ies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Subdivision plan layout	<input type="checkbox"/>	<input type="checkbox"/>
6. Neighbourhood context plan	<input type="checkbox"/>	<input type="checkbox"/>
7. Lot grading plan	<input type="checkbox"/>	<input type="checkbox"/>
8. Landscape plan <sup>++</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Preliminary architectural plans including site plan, building elevations, accessory off-street parking and general bylaw compliance reconciliation <sup>++</sup> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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\* These items may not be required for single-family residential applications

+ These items may be required for two-family residential applications, as outlined in Council Policy No. 6.01

Additional reports provided:

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## City of Maple Ridge

**TO:** Her Worship Mayor Nicole Read  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** Second Reading  
Zone Amending Bylaw No. 7322-2017; and  
Zone Amending Bylaw No. 7328-2017  
21241 Wicklund Avenue

**MEETING DATE:** June 12, 2018  
**FILE NO:** 2017-066-RZ  
**MEETING:** Council

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### EXECUTIVE SUMMARY:

An application has been received to rezone the subject property, located at 21241 Wicklund Avenue, from RS-1 (One Family Urban Residential) to RT-1 (Two Family Urban Residential) to permit development of a duplex. Council granted first reading to Zone Amending Bylaw No. 7322-2017 on April 25, 2017. One of the two duplex units is subject to a \$4,100 charge as part of the Community Amenity Contribution (CAC) Program Policy 6.31, as updated on December 12, 2017.

The City has been undergoing a Zoning Bylaw review and through the process staff have identified regulation changes to modernize the bylaw. Council noted an interest in advancing certain changes to the bylaw, rather than waiting for the completion of the new Zoning Bylaw. This proposed development application represents one such Zoning Bylaw change, as it would provide for duplex developments on lots that are 750 m<sup>2</sup> (8,073 ft<sup>2</sup>) in area, and respond to changing development styles, affordability and market demand.

Zone Amending Bylaw No. 7328-2017 will amend the RT-1 (Two Family Urban Residential) zone to reduce the minimum parcel size from 891 m<sup>2</sup> (9,591 ft<sup>2</sup>) to 750 m<sup>2</sup> (8,073 ft<sup>2</sup>), minimum width from 22 m (72 ft.) to 20 m (66 ft.), and minimum depth from 30 m (98 ft.) to 27 m (89 ft.). These amendments to the RT-1 (Two Family Urban Residential) zone have also received third reading under a different application, 2016-109-RZ. In addition to the text amendment to the RT-1 zone an additional site specific text amendment, Zone Amending Bylaw No. 7322-2017, proposes to reduce the minimum lot area of the subject property only, further from 750 m<sup>2</sup> (8,073 ft<sup>2</sup>) to 742 m<sup>2</sup> (7,987 m<sup>2</sup>) to accommodate the 5.8 m (19 ft.) of road dedication required on Wicklund Avenue. This reduction in minimum lot area is supported in this instance, as there is a substantial amount of road dedication required.

### RECOMMENDATIONS:

- 1) That Zone Amending Bylaw No. 7322-2017 be given second reading, and be forwarded to Public Hearing;
- 2) That Zone Amending Bylaw No. 7328-2017 be given second reading, and be forwarded to Public Hearing; and
- 3) That the following terms and conditions be met prior to final reading of Zone Amending Bylaw No. 7322-2017:

- i) Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of a security, as outlined in the Agreement;
- ii) Road dedication on Wicklund Avenue, as required;
- iii) Registration of a Restrictive Covenant for the Duplex Design;
- iv) Registration of a Restrictive Covenant for Stormwater Management;
- v) Removal of the existing building;
- vi) In addition to the site profile, 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
- vii) That a voluntary contribution, in the amount of \$4,100 be provided in keeping with the Council Policy with regard to Community Amenity Contributions.

## DISCUSSION:

### 1) Background Context:

Applicant:	Mayur Mehta
Legal Description:	Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112
OCP:	
Existing:	Urban Residential
Zoning:	
Existing:	RS-1 (One Family Urban Residential)
Proposed:	RT-1 (Two Family Urban Residential)
Surrounding Uses:	
North:	Use: Single Family Residential Zone: RS-1 (One Family Urban Residential) Designation: Urban Residential
South:	Use: Church Zone: P-4 (Place of Worship) Designation: Institutional
East:	Use: Single Family Residential Zone: RS-1 (One Family Urban Residential) Designation: Urban Residential
West:	Use: Single Family Residential Zone: RS-1 (One Family Urban Residential) Designation: Urban Residential

Existing Use of Property:	Single Family Residential
Proposed Use of Property:	Duplex
Site Area:	860 m <sup>2</sup> (9,257 ft <sup>2</sup> )
Access:	Wicklund / Lane
Servicing requirement:	Urban Standard

## 2) Project Description:

The subject property, located at 21241 Wicklund Avenue, is 860 m<sup>2</sup> (9,257 ft<sup>2</sup>) in area and is bound by single family lots to the west, north and east, and St. Paul's Lutheran Church to the south. There is an existing house on the subject property that will require removal as part of the rezoning approval. The subject property also has access to a rear lane, where the applicant proposes to locate the garages (see Appendices A and B).

There is another duplex application, 2016-109-RZ, that has received third reading under Zone Amending Bylaw No. 7249-2016, which proposes to: reduce the minimum parcel size and dimensions from 891 m<sup>2</sup> (9,591 ft<sup>2</sup>) to 750 m<sup>2</sup> (8,073 ft<sup>2</sup>), minimum width from 22 m (72 ft.) to 20 m (66 ft.) and minimum depth from 30 m (98 ft.) to 27 m (89 ft.) for the RT-1 (Two Family Urban Residential) zone. If the above mentioned bylaw, from application 2016-109-RZ, receives adoption prior to the subject application, then Zone Amending Bylaw No. 7328-2017 will not be applicable and can be removed from this application.

In addition to the proposed amendments to the RT-1 (Two Family Urban Residential) zone, the subject application is proposing an additional site specific text amendment to allow a slightly smaller minimum lot area for the subject property only, as approximately 5.8 m (19 ft.) of road dedication is required across the property frontage (see Appendix E). This site specific text amendment would allow the subject property to reduce its minimum lot area from the proposed 750 m<sup>2</sup> (8,073 ft<sup>2</sup>) to approximately 742 m<sup>2</sup> (7,987 ft<sup>2</sup>). The road dedication, combined with lane access, make the text amendment to reduce the lot area for this property supportable.

## 3) Planning Analysis:

### i) Official Community Plan:

The Official Community Plan (OCP) designates the property *Urban Residential*, and development of the property is subject to the Neighbourhood Residential infill policies of the OCP. These policies require that development be compatible with the surrounding neighbourhood, with particular attention given to site design setbacks and lot configuration with the existing pattern of development in the area. The proposed rezoning to RT-1 (Two Family Urban Residential) is in conformance with the *Urban Residential* designation and Neighbourhood Residential infill policies.

It is noted that one of the underlying principles in the OCP is to encourage growth within the Urban Area Boundary (UAB) and to accommodate growth through infill by promoting a mix of housing types and tenures (Policy 3-1). The Residential Infill and Compatibility Criteria all support a change in the unit type, and specifically cite that duplex development is both compatible and desirable in the City (Policy 3-19).

### Housing Action Plan:

The Housing Action Plan was endorsed in 2014, and includes a number of goals and principles aimed at providing safe, affordable and appropriate housing for the community. Specific goals in support of encouraging duplex housing include: "*To improve housing choice for all current and future*

households". Strategy #1 Housing Action Plan relates to housing mix and innovation and reads "support the development of a mix of housing forms". Based on the above, it is clear that reducing minimum parcel size to the RT-1 (Two Family Urban Residential) zone is in alignment with the goals, principles, and strategies in the Housing Action Plan, as it will encourage duplex housing in the City.

**ii) Zoning Bylaw:**

The current application proposes to rezone the subject property from RS-1 (One Family Urban Residential) to RT-1 (Two Family Urban Residential) to permit a duplex development. The minimum lot size for the current RS-1 zone is 668m<sup>2</sup> (7,191 ft<sup>2</sup>), and the minimum lot size for the RT-1 zone is 891m<sup>2</sup> (9,591 ft<sup>2</sup>). The minimum parcel dimensions and parcel area for the RT-1 zone are proposed to be reduced to maximize opportunities for duplex infill in the City. Zone Amending Bylaw No. 7328-2017 proposes to amend the RT-1 zone requirements to reduce the minimum lot area, lot width and lot depth (see Appendix D). The proposed amendments to the RT-1 zone already have third reading under a different application, 2016-109-RZ. The subject application, Zone Amending Bylaw No. 7322-2017, proposes to further reduce the minimum lot area from 750 m<sup>2</sup> (8,073 ft<sup>2</sup>) to 742 m<sup>2</sup> (7,987 ft<sup>2</sup>) due to the 5.8 m (19 ft.) of road dedication required along Wicklund Avenue (see Appendix C).

It is anticipated that the text amendment to the RT-1 (Two Family Urban Residential) zone (under Zone Amending Bylaw No. 7249-2016 or 7328-2017) will proceed ahead of the subject application; therefore, Zone Amending Bylaw No. 7322-2017 (site specific text amendment) will reflect the proposed changes to the Zoning Bylaw that outlines the change to lot area, lot width and lot depth.

**iii) Development Permit :**

A Form and Character Development Permit is not required for a duplex development.

**iv) Advisory Design Panel:**

This application does not need to be reviewed by the Advisory Design Panel, as a Form and Character Development Permit is not required.

**v) Development Information Meeting:**

A Development Information Meeting is not required for this application as it is in compliance with the OCP and is less than 5 dwelling units.

**4) Interdepartmental Implications:**

**i) Engineering Department:**

A Rezoning Servicing Agreement will be required as a condition of this rezoning application. Cash-in-lieu payment will be required for street lighting and street trees; as well, service connections for water and sanitary are to be provided for each duplex unit. Road dedication along Wicklund Avenue, in the amount of 5.8 m (19 ft.), is required as a condition of rezoning. The rear lane does not require any further dedication; however, it is required to be paved, in its entirety.

**ii) License, Permits and Bylaws Department:**

The subject property is located within the Fraser River Escarpment area, where stormwater must be directed to the Municipal storm sewer, as per Council Policy 6.23. This has been incorporated into the Stormwater Management Plan.



## CONCLUSION:

It is recommended that second reading be given to Zone Amending Bylaw No. 7322-2017, which includes a site specific text amendment to further reduce the proposed lot area from 750 m<sup>2</sup> (8,073 ft<sup>2</sup>) to 742 m<sup>2</sup> (7,987 ft<sup>2</sup>). It is recommended that second reading be given for the text amendment to Zone Amending Bylaw No. 7328-2017, to reduce the minimum parcel size and dimensions from 891 m<sup>2</sup> (9,591 ft<sup>2</sup>) to 750 m<sup>2</sup> (8,073 ft<sup>2</sup>), minimum width from 22 m (72 ft.) to 20 m (66 ft.) and minimum depth from 30 m (98 ft.) to 27 m (89 ft.). It is also recommended that application 2017-066-RZ be forwarded on to Public Hearing. Furthermore, following Public Hearing, it is recommended that the text amendment to Zone Amending Bylaw No. 7328-2017 advance for third and final reading. Following Public Hearing, Zone Amending Bylaw No. 7322-2017 would be considered for third reading, and adoption of this Bylaw would not occur until all of Council's conditions are satisfied. It is anticipated that the text amendment to the RT-1 (Two Family Urban Residential) zone will be implemented before the subject application reaches final reading; therefore, Zone Amending Bylaw No. 7322-2017 reflects the proposed changes.

"Original signed by Adam Rieu"

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**Prepared by:** Adam Rieu  
Planning Technician

"Original signed by Christine Carter"

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**Approved by:** Christine Carter, M.PL, MCIP, RPP  
Director of Planning

"Original signed by Frank Quinn"

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**Approved by:** Frank Quinn, MBA, P.Eng  
GM Public Works & Development Services

"Original signed by Paul Gill"

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**Concurrence:** Paul Gill, CPA, CGA  
Chief Administrative Officer

The following appendices are attached hereto:

Appendix A – Subject Map  
Appendix B – Ortho Map  
Appendix C – Zone Amending Bylaw No. 7322-2017  
Appendix D – Zone Amending Bylaw No. 7328-2017  
Appendix E – Site Plan  
Appendix F – Duplex Design









**CITY OF MAPLE RIDGE  
BYLAW NO. 7328-2017**

A Bylaw to amend the text of Maple Ridge Zoning Bylaw No. 3510-1985 as amended

---

**WHEREAS**, it is deemed expedient to amend the Maple Ridge Zoning Bylaw No. 3510-1985 as amended:

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge, enacts as follows:

1. This bylaw may be cited as “Maple Ridge Zone Amending Bylaw No. 7328-2017”.
2. Maple Ridge Zoning Bylaw No. 3510-1985 is hereby amended as follows:

That PART 6, RESIDENTIAL ZONES, SECTION 601, ONE FAMILY AND TWO FAMILY RESIDENTIAL ZONES, Sub-Section (C) REGULATIONS FOR THE SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES, item 4) Buildings and Structures for Two Family Residential Use in the RT-1 Zone is amended by deleting clause (d) and replacing it with the following clauses:

“(d) shall not be permitted on a lot less than 750 m<sup>2</sup>.

(e) notwithstanding item (d) above, lots located within the Town Centre, as identified on Schedule H, which are either a corner lot or provided with lane access, shall not be permitted on a lot less than 557 m<sup>2</sup>”.

3. To Amend Schedule “D” **MINIMUM LOT AREA AND DIMENSIONS** by deleting the line:

“RT-1            22m            30m            891m<sup>2</sup>”

Replacing it as follows:

“RT-1            20 m            27m            750 m<sup>2</sup>            See item 7 below”

4. To Amend Schedule “D” **MINIMUM LOT AREA AND DIMENSIONS** by inserting a new item 7, after item 6 as follows:

“7. For lots located within the Town Centre, as identified on Schedule H, which are either a corner lot or provided with lane access, shall not be less than 557 m<sup>2</sup>”.

5. Maple Ridge Zoning Bylaw No. 3510-1985 as amended is hereby amended accordingly.

**READ** a first time the 25<sup>th</sup> day of April, 2017.

**READ** a second time the 12<sup>th</sup> day of June, 2018.

**READ** a third time the        day of        , 2017.

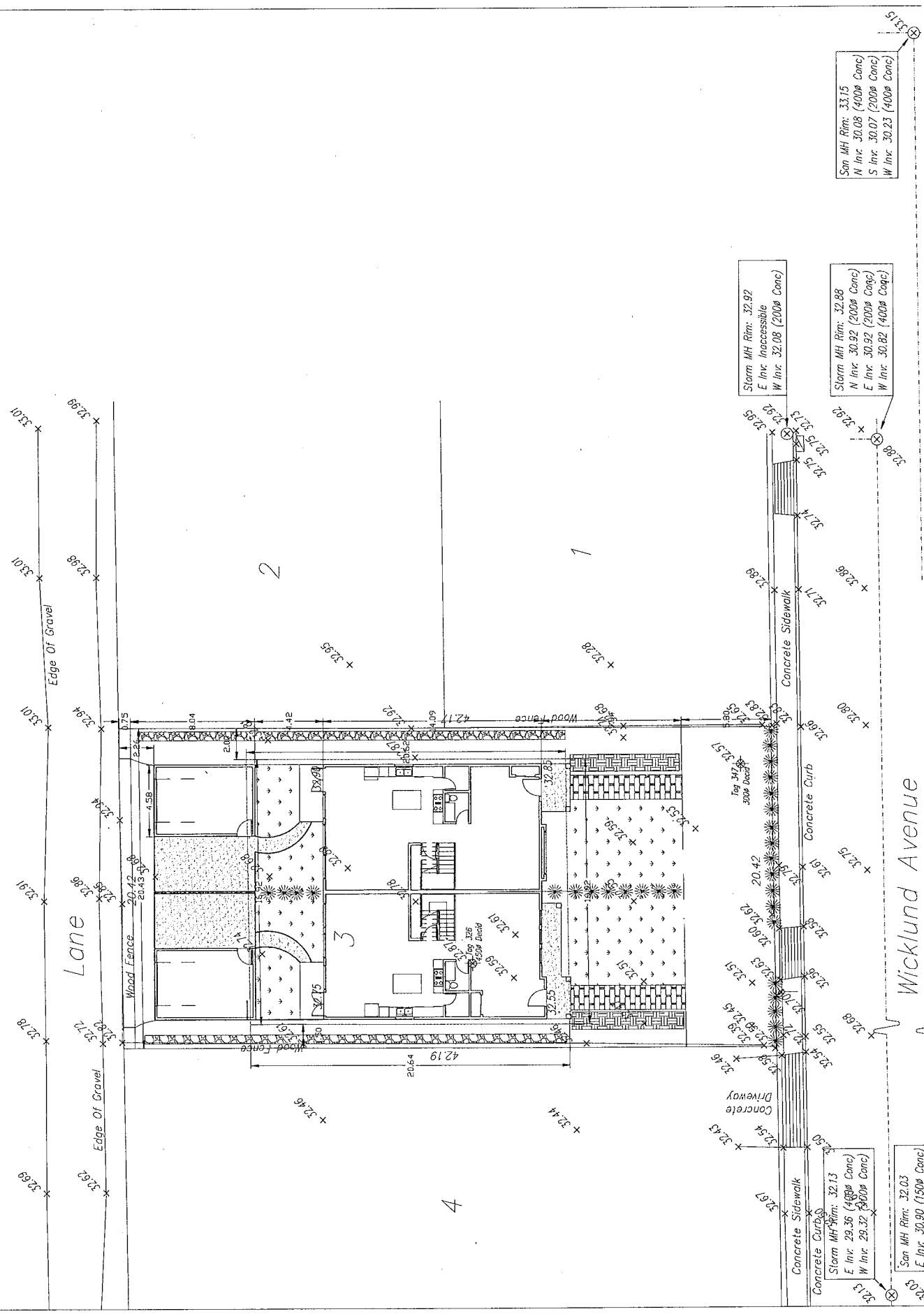
**ADOPTED** the        day of        , 2017.

---

**PRESIDING MEMBER**

---

**CORPORATE OFFICER**



Storm MH Rim: 33.15  
N Inv: 30.08 (400# Conc)  
S Inv: 30.07 (200# Conc)  
W Inv: 30.23 (400# Conc)

Storm MH Rim: 32.92  
E Inv: Inaccessible  
W Inv: 32.08 (200# Conc)

Storm MH Rim: 32.88  
N Inv: 30.92 (200# Conc)  
E Inv: 30.92 (200# Conc)  
W Inv: 30.82 (400# Conc)

Storm MH Rim: 32.13  
E Inv: 29.36 (400# Conc)  
W Inv: 29.32 (300# Conc)

Storm MH Rim: 32.03  
E Inv: 30.90 (150# Conc)

ESHOME DESIGN INC.

www.esdesign.ca

THESE PLANS  
CONFORM TO  
BOBC2012.  
DESIGNER ASSUMES NO  
LIABILITY FOR ERRORS  
& OMISSIONS.  
BUILDER/OWNER MUST  
REVIEW WHOLE PLAN  
PRIOR TO  
CONSTRUCTION.

ALL WORK MUST BE IN CONFORMANCE WITH  
BOBC2012.  
DESIGNER ASSUMES NO LIABILITY FOR ERRORS  
& OMISSIONS.  
BUILDER/OWNER MUST REVIEW WHOLE PLAN  
PRIOR TO CONSTRUCTION.

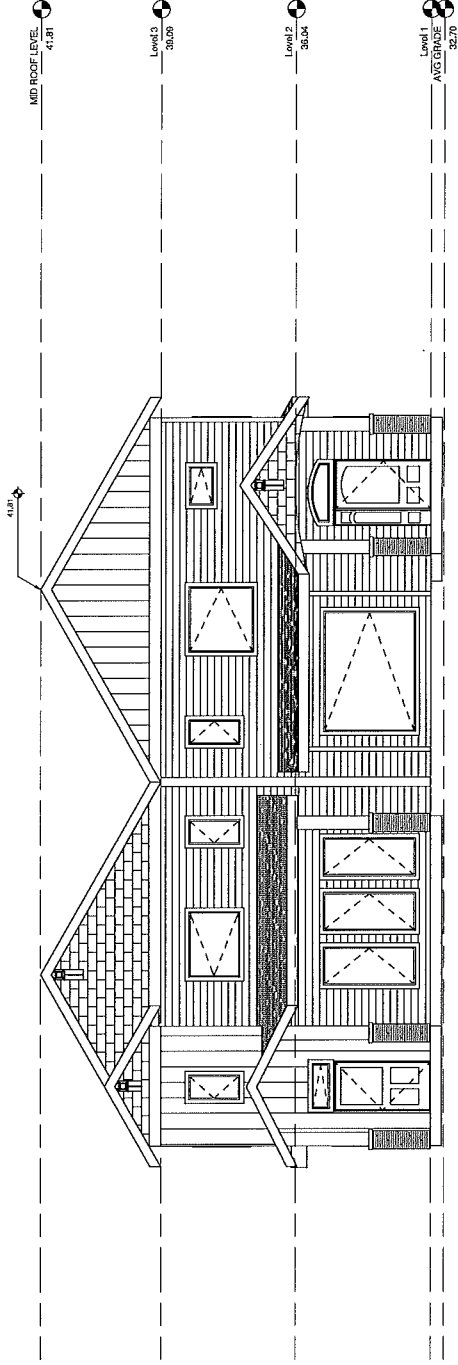
ES-HOME DESIGNS INC.  
12955 82 AVE  
SURREY B.C.  
PHONE 804-512-9527  
esdesign@outlook.com

PROPOSED CLIENT FOR MKS-CP  
2024 WEDDING AVE  
SURREY B.C.  
PHONE 804-512-9527  
E-Mail: mks\_cp@esdesign.com

Project number: 0001  
Date: 10/10/2024  
Drawn by: [Signature]  
Checked by: [Signature]

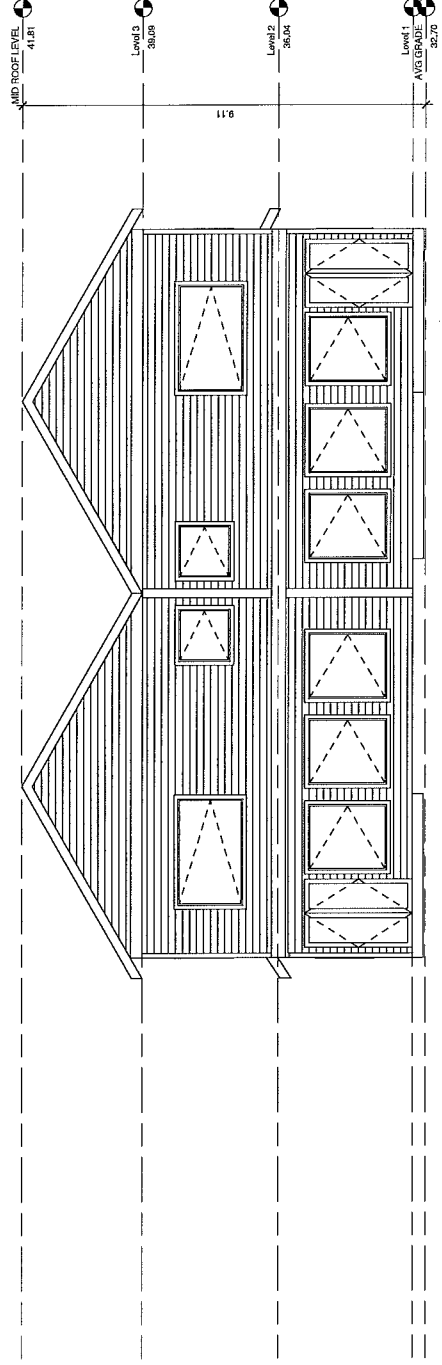
A105

Scale: 1:50



FRONT/NORTH

1:50



BACK/SOUTH

1:50

A Bylaw to amend Map "A" forming part of Zoning Bylaw No. 3510 - 1985 as amended

**NOW THEREFORE,** the Municipal Council of the City of Maple Ridge enacts as follows:

- Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112

3. That PART 6, RESIDENTIAL ZONES, SECTION 601, Sub-Section (C) REGULATIONS FOR THE SIZE, SHAPE AND SITING OF BUILDING AND STRUCTURES, Clause (4) Buildings and Structures for Two Family Residential Use in the RT-1 Zone is amended by the addition of the following sub-clause in correct alphabetical order:

Notwithstanding the above, shall not be permitted on a lot less than 742 m<sup>2</sup>, for the parcel or tract of land described as Lot 3 District Lot 242 Group 1 New Westminster District Plan 14112

4. Maple Ridge Zoning Bylaw No. 3510 - 1985 as amended and Map "A" attached thereto are hereby amended accordingly.

**READ** a first time the 28<sup>th</sup> day of November, 2017.

**READ** a second time the 12<sup>th</sup> day of June, 2018.

**PUBLIC HEARING** held the       day of       , 20

**READ** a third time the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**APPROVED** by the Ministry of Transportation and Infrastructure this          day of  
   . 20

**ADOPTED,** the            day of            , 20

CORPORATE OFFICER





**DEVELOPMENT APPLICATION CHECKLIST  
FOR FILE 2015-373-RZ  
File Manager: Adrian Kopystynski**

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<b>Official Community Plan or Zoning Bylaw Amendments:</b>	<b>RECEIVED</b>	<b>NOT REQUIRED</b>
1. A completed Application Form (Schedule "A" – Development Procedures Bylaw No. 5879-1999)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. An application fee, payable to the City of Maple Ridge, in accordance with Development Application Fee Bylaw no. 5949-2001.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. A Certificate of Title and Consent Form if the applicant is different from the owner shown on the Certificate of Title.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. A legal survey of the property(ies)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Subdivision plan layout	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Neighbourhood context plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Lot grading plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Landscape plan**	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Preliminary architectural plans including site plan, building elevations, accessory off-street parking and general bylaw compliance reconciliation**.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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\* These items may not be required for single-family residential applications

+ These items may be required for two-family residential applications, as outlined in Council Policy No. 6.01

Additional reports provided:

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Preliminary Geotechnical Report (May 9, 2009)

Arborist Report (May 24, 2016)

Habitat Balance Summary (May 24, 2016)

Environmental Assessment (June 3, 2016)

Tree Evaluation Report (April 26, 2016)

## City of Maple Ridge

**TO:** Her Worship Mayor Nicole Read  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** First and Second Reading  
Official Community Plan Amending Bylaw No. 7469-2018  
Second Reading  
Zone Amending Bylaw No. 7195-2015  
23616 132 Avenue

**MEETING DATE:** June 26, 2018  
**FILE NO:** 2015-373-RZ  
**MEETING:** Council

---

### EXECUTIVE SUMMARY:

An application has been received to rezone the subject property located at 23616 132 Avenue from RS-2 (One Family Suburban Residential) to RM-1 (Townhouse Residential) for a 16 unit townhouse project and to R-1 (Residential District) for one lot to accommodate an existing single residential dwelling being retained. Council granted first reading to Zone Amending Bylaw No. 7195-2015 and considered the early consultation requirements for the Official Community Plan (OCP) amendment on January 13, 2016. The minimum R-1 lot size is 371 m<sup>2</sup>.

The proposed RM-1 (Townhouse Residential) and R-1 (Residential District) zoning complies with the policies of the Official Community Plan (OCP). However, an amendment to the OCP is required to adjust the area designated *Conservation* around the watercourse / steep slope area to amend the *Conservation* boundary for ground-truthing.

Pursuant to Council policy, this application is subject to the Community Amenity Contribution Program at a rate of \$4,100.00 per townhouse dwelling unit (16 units) and \$5,100.00 per single family lot (1 lot), for a total amount of \$70,700.

### RECOMMENDATIONS:

- 1) That, in accordance with Section 475 of the Local Government Act, opportunity for early and on-going consultation has been provided by way of posting Official Community Plan Amending Bylaw No. 7469-2018 on the municipal website and requiring that the applicant host a Development Information Meeting (DIM), and Council considers it unnecessary to provide any further consultation opportunities, except by way of holding a Public Hearing on the bylaw;
- 2) That Official Community Plan Amending Bylaw No. 7469-2018 be considered in conjunction with the Capital Expenditure Plan and Waste Management Plan;
- 3) That it be confirmed that Official Community Plan Amending Bylaw No. 7469-2018 is consistent with the Capital Expenditure Plan and Waste Management Plan;
- 4) That Official Community Plan Amending Bylaw No. 7469-2018 be given first and second readings and be forwarded to Public Hearing;

- 5) That Zone Amending Bylaw No. 7195-2015 be given second reading, and be forwarded to Public Hearing; and,
- 6) That the following terms and conditions be met prior to final reading:
- i) Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of a security, as outlined in the Agreement;
  - ii) Amendment to Official Community Plan Schedule "B" and "C";
  - iii) Road dedication on 236 Street and a corner truncation as required;
  - iv) Park dedication as required, including construction of pedestrian trails;
  - v) Registration of a Restrictive Covenant for the Geotechnical Report, which addresses the suitability of the subject property for the proposed development;
  - vi) Registration of a Restrictive Covenant for stormwater management, including maintenance guidelines;
  - vii) Registration of a Restrictive Covenant for protecting the Visitor Parking;
  - viii) Removal of existing building/s;
  - ix) In addition to the site profile, 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
  - x) That a voluntary contribution, in the amount of \$70,700 [\$4,100.00 per townhouse dwelling unit (16 units) and \$5,100.00 per single family lot (1 lot)] to be provided in keeping with the Council Policy with regard to Community Amenity Contributions.

#### DISCUSSION:

##### 1) Background Context:

Applicant:	Don Schmidt
Legal Description:	Lot 1 Except: Parcel "A" (Explanatory Plan 13725), South East Quarter Section 28 Township 12 NWD Plan 2637
OCP:	
Existing:	Med/High Density Residential, Conservation
Proposed:	Med/High Density Residential, Low Density Urban and Conservation (new boundaries)
Zoning:	
Existing:	RS-2 (One Family Suburban Residential)
Proposed:	RM-1 (Townhouse Residential) and R-1 (Residential District)
Surrounding Uses:	
North:	Use: Single Family Residential

	Zone:	RS-2 (One Family Suburban Residential), RM-1 (Townhouse Residential)
South:	Designation:	Med/High Density Residential, Conservation
	Use:	Single Family Residential
	Zone:	RS-2 (One Family Suburban Residential)
East:	Designation:	Med/High Density Residential, Conservation
	Use:	Single Family Residential
	Zone:	RS-2 (One Family Suburban Residential)
	Designation:	Low Density Urban, Med/High Residential, Conservation, Open Space
West:	Use:	Upper Maple Ridge Park
	Zone:	P-1 (Park and School)
	Designation:	Park
Existing Use of Property:		Single Family Residential
Proposed Use of Property:		Multi Family Residential, Single Family Residential and Conservation
Site Area:		0.68 ha (1.68 acres)
Access:		132 Avenue
Servicing requirement:		Urban Standard
Accompanying applications:		

## 2) Background:

The subject property, located at 23616 132 Avenue (see Appendices A and B), is approximately 0.68 ha (1.68 acres) in size and is bound by single family residential lots to the east and south, Upper Maple Ridge Park and 236 Street to the west and both single family and multi-family to the north. The north eastern portion of the subject property is higher in elevation and slopes down towards the southwest. There is an existing single family dwelling located on the property that will be removed as a condition of final reading. There is also an existing equestrian trail located on the south side of 132 Avenue in the road right-of-way.

A tributary of Maple Ridge Park Creek is located in the northeast corner and flows south across the middle of the subject property. The creek will be dedicated as Conservation as a condition of final reading. There are several trees throughout the property, with the majority being located around the watercourse and the southwest property boundary.

## 3) Project Description:

The applicant is proposing a townhouse development consisting of 16 units on the west side of Maple Ridge Park Creek and one single family residential lot on the east side of Maple Ridge Park Creek. Each townhouse unit has three (3) bedrooms. Access to both the proposed townhouse site and the single family lot will be off 132 Avenue.

Due to the location of Maple Ridge Park Creek, the applicant is proposing a panhandle lot for the single family lot on the eastern portion of the development. The panhandle would be required to reduce the disruption of the sensitive riparian area around the creek, and would allow the development to be set further back on the property. Council Policy 6.02 indicates that panhandle lots are permitted “when the lot would allow a subdivision to overcome a clearly established topographic difficulty”. In this instance, Maple Ridge Park Creek bisects the property; therefore, a panhandle lot can be supported. There are no other alternative

opportunities to access the single family lot and there will be no privacy concerns as a result of the creation of the panhandle lot, as per Council Policy 6.02.

At this time the current application has been assessed to determine its compliance with the OCP and provide a land use assessment only. Detailed review and comments will need to be made once full application packages have been received. A more detailed analysis and a further report will be required prior to second reading. Such assessment may impact proposed lot boundaries and yields, OCP designations and Bylaw particulars, and may require application for further development permits.

#### **4) Planning Analysis:**

##### **i) Official Community Plan:**

The development site is within the Silver Valley Area Plan and is currently designated Med/High Density Residential and Conservation and is located in the River Village hamlet boundary. The Med/High Density Residential designation provides for densities in the range of 30 to 50 units per hectare in both a detached and single family form. The proposed rezoning to RM-1 (Townhouse Residential) and R-1 (Residential District) complies with the Med/High Density Residential designation within the Silver Valley Area Plan. The balance of the property is designated Conservation in the Area Plan. As a result of ground truthing, an amendment to the Conservation boundary is required. The single residential property would be designed Low Density Urban.

##### **ii) Zoning Bylaw:**

The current application proposes to rezone the subject property from RS-2 (One Family Suburban Residential) to RM-1 (Townhouse Residential) and R-1 (Residential District) to permit the future development of 16 townhouse units and one single family residential lot. The minimum lot size for the proposed RM-1 (Townhouse Residential) zone is 557m<sup>2</sup> (5,991 ft<sup>2</sup>) and for the R-1 (Residential District) zone is 371 m<sup>2</sup> (3,995 ft<sup>2</sup>).

##### **iii) Off-Street Parking And Loading Bylaw:**

The residential parking provided exceeds the minimum parking requirement. A total of 55 residential and three (3) visitor parking spaces, one (1) of which is designed as a disabled parking space. A total of four (4) visitor parking spaces are required, however, the ample residential parking justifies a reduction by one space.

A total of nine (9) townhouses contain 2 side-by-side garage parking spaces. Eight (8) of these townhouses each have two (2) apron parking spaces. The remaining seven (7) townhouse units each have two (2) tandem garage parking spaces with one (1) apron parking space. Each of these units utilize the slope along 132 Avenue to allow a portion of the roof of the forward portion of the sunken tandem garage to be a front porch element for the front yards of each of these 132 Avenue facing townhouses.

##### **iv) Proposed Variances:**

A Development Variance Permit application has been received for this project and involves the following relaxations (see Appendix D):

*The Maple Ridge Zoning Bylaw No. 3510 1985, Section 602 RM-1 Townhouse Residential District, sub-section 6 Siting clause a) is to be varied as follows:*

- For the front lot line setback (236 Street), the 7.5 metre requirement for Buildings 1 and 2 is reduced to 5.5 metres to the face of the building.
- For the front lot line setback (236 Street), the 7.5 metre requirement for Building 1 and 2 is reduced to 4.0 metres to the deck edges and structural posts.
- For the exterior lot line setback (132 Avenue), the 7.5 metre requirement for Building 1 is reduced to 4.5 metres to the building face and to 3.0 metres to balcony edges and structural posts.
- For the exterior lot line setback (132 Avenue), the 7.5 metre requirement for Buildings 5 and 6 is reduced to 5.5 metres for the lowest level of the building and to 4.5 metres to porch roof edges and structural posts.
- For the interior lot line setback, the 6.0 metre requirement for Buildings 3 and 4 is reduced to 4.5 metres to the balcony edges and structural posts.

The above requested variances will be the subject of a future Council report.

v) **Development Permits:**

Pursuant to Section 8.7 of the OCP, a Multi-Family Development Permit application is required to ensure the current proposal enhances existing neighbourhoods with compatible housing styles that meet diverse needs, and minimize potential conflicts with neighbouring land uses.

Pursuant to Section 8.9 and 8.10 of the OCP, a combined Watercourse Protection and Natural Features Development Permit application is required for all developments and building permits within 50 metres of the top of bank of all watercourses and wetlands. The purpose of the Watercourse Protection Development Permit is to ensure the preservation, protection, restoration and enhancement of watercourse and riparian areas.

Pursuant to Section 8.12 of the OCP, a Wildfire Protection Development Permit application is required to ensure protection of life and property in designated areas that could be at risk for wildland fire.

vi) **Advisory Design Panel:**

The Advisory Design Panel (ADP) reviewed the form and character of the proposed development and the landscaping plans at a meeting held on May 16, 2018. (see Appendix E and F)

Following presentations by the project Architect and Landscape Architect, the ADP made the following resolution that:

**Landscape Comments:**

1. Utilize different surfacing material for the parking spaces in front of Unit 5;
2. Consider additional CPTED measures given the reduced visibility into the Amenity space;
3. Consider accommodating terraced seating in the amenity space, preferably combined with the ramp;
4. Move the planting strip to the East side of the ramp adjacent to Unit 6.

5. Consider different style or material type of picket fence to reflect the modern style of the building.

**Architectural Comments:**

1. Consider increasing the width of bathroom windows;
2. Consideration for Hardie reveals with window frames;
3. Consider framing transitions at material changes to articulate the massing;
4. Provide details for mailbox kiosk;
5. Provide building, landscape, and amenity lighting plans;
6. Confirm with the Fire Department that emergency vehicles can turnaround requirements are satisfied;
7. Indicate location of Fire Department directional signage.

The ADP concerns are being addressed and will be reflected in the development permit plans. A detailed description of how these items were incorporated into the final design will be included in a future development permit report to Council.

**vii) Development Information Meeting:**

A Development Information Meeting was held at Yennadon School on June 6, 2018. One person, a resident of Pitt Meadows, attended the meeting. There were no matters raised.

**5) Interdepartmental Implications:**

**i) Engineering Department:**

Road widening and corner truncation is required. Other requirements would be satisfied through a Rezoning Serving Agreement.

**ii) Parks & Leisure Services Department:**

The lands to become a conservation area will be dedicated as parkland. A pedestrian trail in accordance with Parks, Recreation and Culture Department standards is required.

**iii) License, Permits and Bylaws Department:**

The building and lot elevation for the single residential lot will need to consider the sewer elevation to service the lot. Subject to in-depth assessment, a sanitary sewerage pump system may be acceptable.

**iv) Fire Department:**

All applicable requirements will be assessed for compliance as part of the building permit process.

**6) School District No. 42 Comments:**

Pursuant to Section 476 of the *Local Government Act*, consultation with School District No. 42 is required at the time of preparing or amending the OCP. A referral was sent to School District No. 42 and there were no comments in response

**7) Intergovernmental Issues:**

**i) Local Government Act:**

An amendment to the OCP requires the local government to consult with any affected parties and to adopt related bylaws in compliance with the procedures outlined in Section

477 of the *Local Government Act*. The amendment required for this application is considered to be minor in nature. It has been determined that no additional consultation beyond existing procedures is required, including referrals to the Board of the Regional District, the Council of an adjacent municipality, First Nations, the School District or agencies of the Federal and Provincial Governments.

The amendment has been reviewed with the Financial Plan/Capital Plan and the Waste Management Plan of the Greater Vancouver Regional District and determined to have no impact.

## **CONCLUSION:**

It is recommended that first and second reading be given to OCP Amending Bylaw No. 7469-2018, that second reading be given to Zone Amending Bylaw No. 7195-2015, and that application 2015-373-RZ be forwarded to Public Hearing.

“Original signed by Adrian Kopystynski”

---

**Prepared by:** Adrian Kopystynski, MCIP, RPP, MCAHP  
Planner

“Original signed by Christine Carter”

---

**Approved by:** Christine Carter, M.PL, MCIP, RPP  
Director of Planning

“Original signed by Frank Quinn”

---

**Approved by:** Frank Quinn, MBA, P.Eng  
GM: Public Works & Development Services

“Original signed by Paul Gill”

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**Concurrence:** Paul Gill, CPA, CGA  
Chief Administrative Officer

The following appendices are attached hereto:

Appendix A – Subject Map

Appendix B – Ortho Map

Appendix C – OCP Amending Bylaw No. 7469-2018

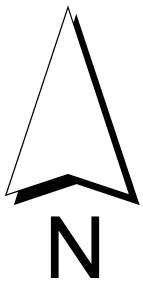
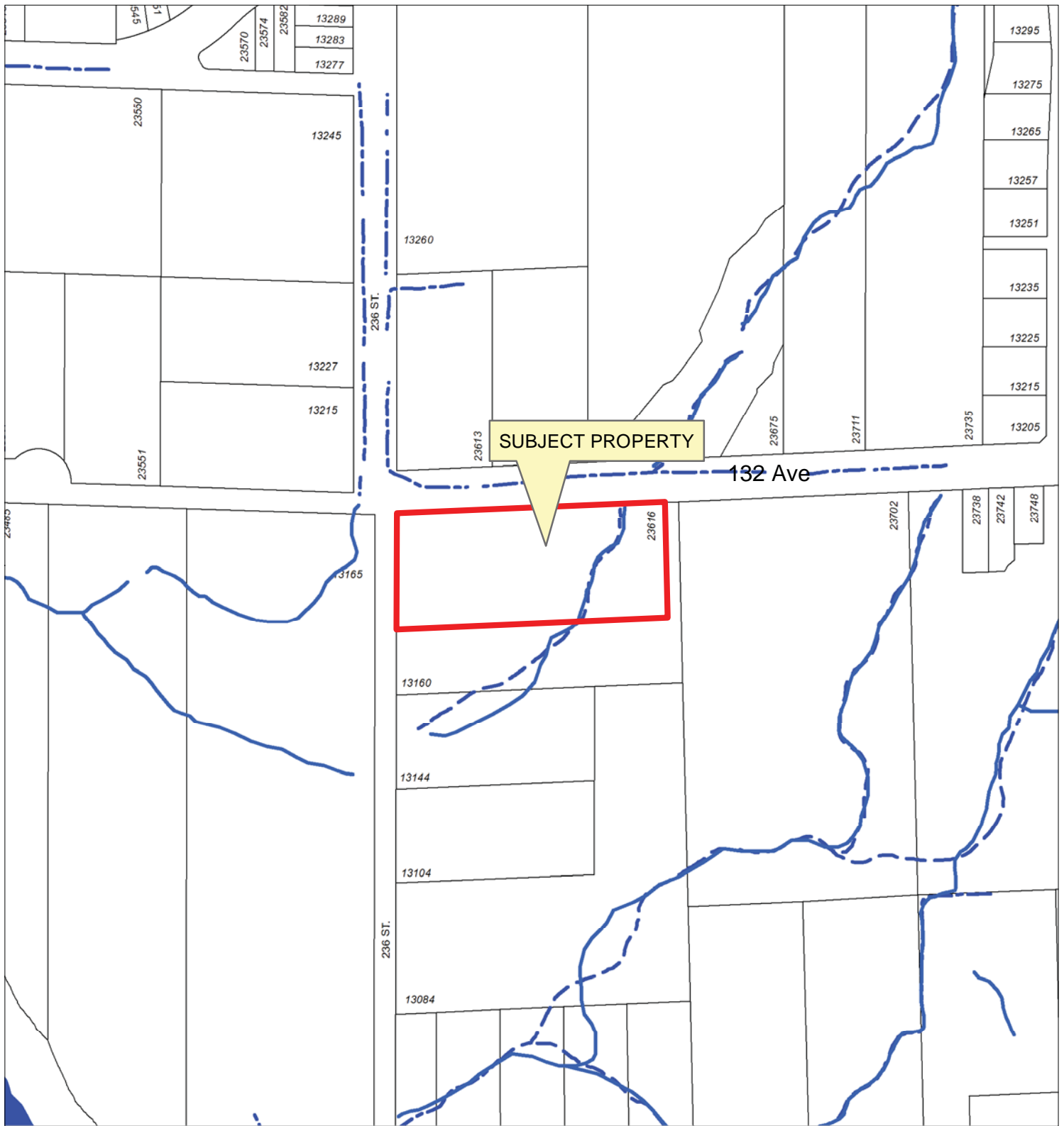
Appendix D – Zone Amending Bylaw No. 7195-2015

Appendix E – Site Plan and Subdivision Plan

Appendix F – Building Elevation Plans

Appendix G – Landscape Plan





Scale: 1:2,500

## Legend

- Stream
- - - Indefinite Creek
- River Centreline
- River
- Major Rivers & Lakes

23616 132 Avenue  
2011 Image

PLANNING DEPARTMENT



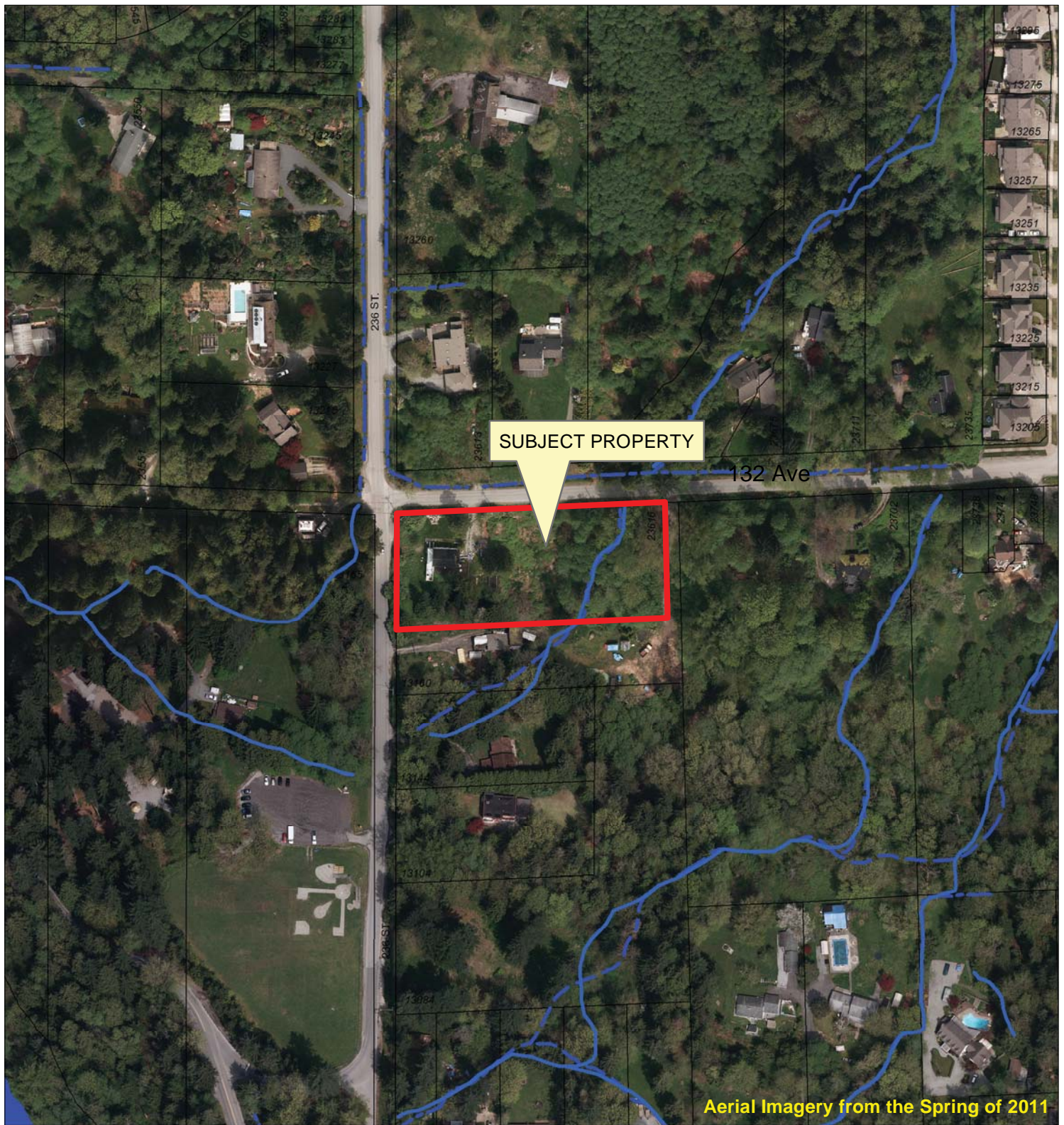
MAPLE RIDGE

British Columbia

[mapleridge.ca](http://mapleridge.ca)

2015-373-RZ  
DATE: Dec 2, 2015

BY: JV





**CITY OF MAPLE RIDGE  
BYLAW NO. 7469-2018**

# A Bylaw to amend the Official Community Plan Bylaw No. 7060-2014

**WHEREAS** Section 477 of the Local Government Act provides that the Council may revise the Official Community Plan;

**AND WHEREAS** it is deemed expedient to amend Schedules A to the Official Community Plan;

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge enacts as follows:

1. This Bylaw may be cited for all purposes as "Maple Ridge Official Community Plan Amending Bylaw No. No 7469-2018.
2. Schedule "A", Chapter 10.3, Part VI, A – Silver Valley, Figure 2 - Land Use Plan, is hereby amended for the parcel or tract of land and premises known and described as::

Lot 1 Except: Parcel "A" (Explanatory Plan 13725), South East Quarter Section 28 Township 12 New Westminster District Plan 2637

and outlined in heavy black line on Map No. 976, a copy of which is attached hereto and forms part of this Bylaw, is hereby designated/amended as shown.

3. Schedule "A", Chapter 10.3, Part VI, A – Silver Valley, Figure 4 – Trails / Open Space is hereby amended for the parcel or tract of land and premises known and described as::

Lot 1 Except: Parcel "A" (Explanatory Plan 13725), South East Quarter Section 28 Township  
12 New Westminster District Plan 2637

and outlined in heavy black line on Map No. 977, a copy of which is attached hereto and forms part of this Bylaw, is hereby amended by adding/removing Conservation.

4. Maple Ridge Official Community Plan Bylaw No. 7060-2014 is hereby amended accordingly.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

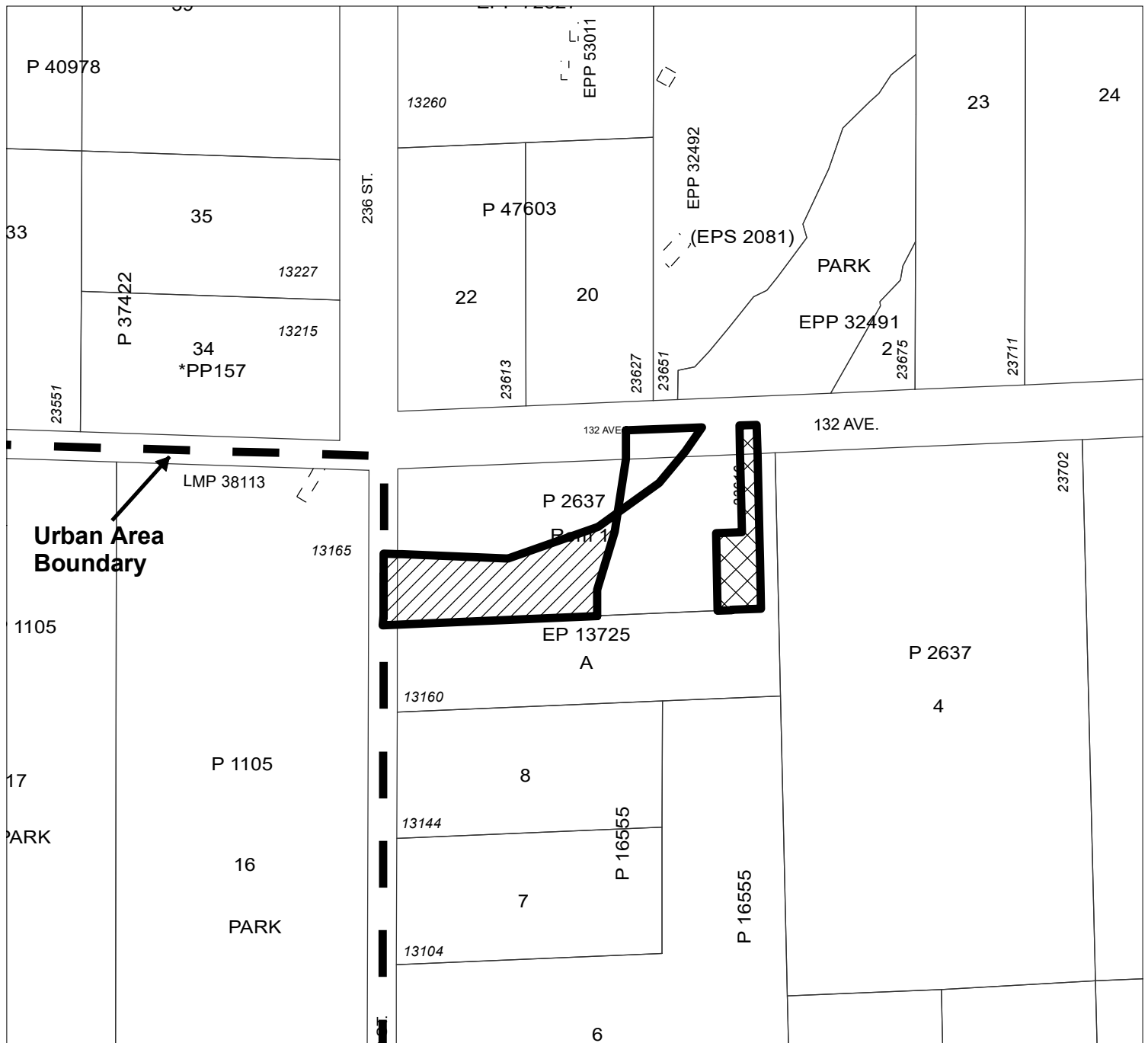
**PUBLIC HEARING** held the      day of      , 20

**READ** a third time the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**ADOPTED**, the      day of      , 2018 .

**PRESIDING MEMBER**

CORPORATE OFFICER





# MAPLE RIDGE OFFICIAL COMMUNITY PLAN AMENDING

Bylaw No. 7469-2018

Map No. 976

Purpose: To Amend Figure 2 and Figure 3C of the Silver Valley Area Plan

From: Medium/High Density Residential and Conservation

To:  Conservation  Low Density Urban

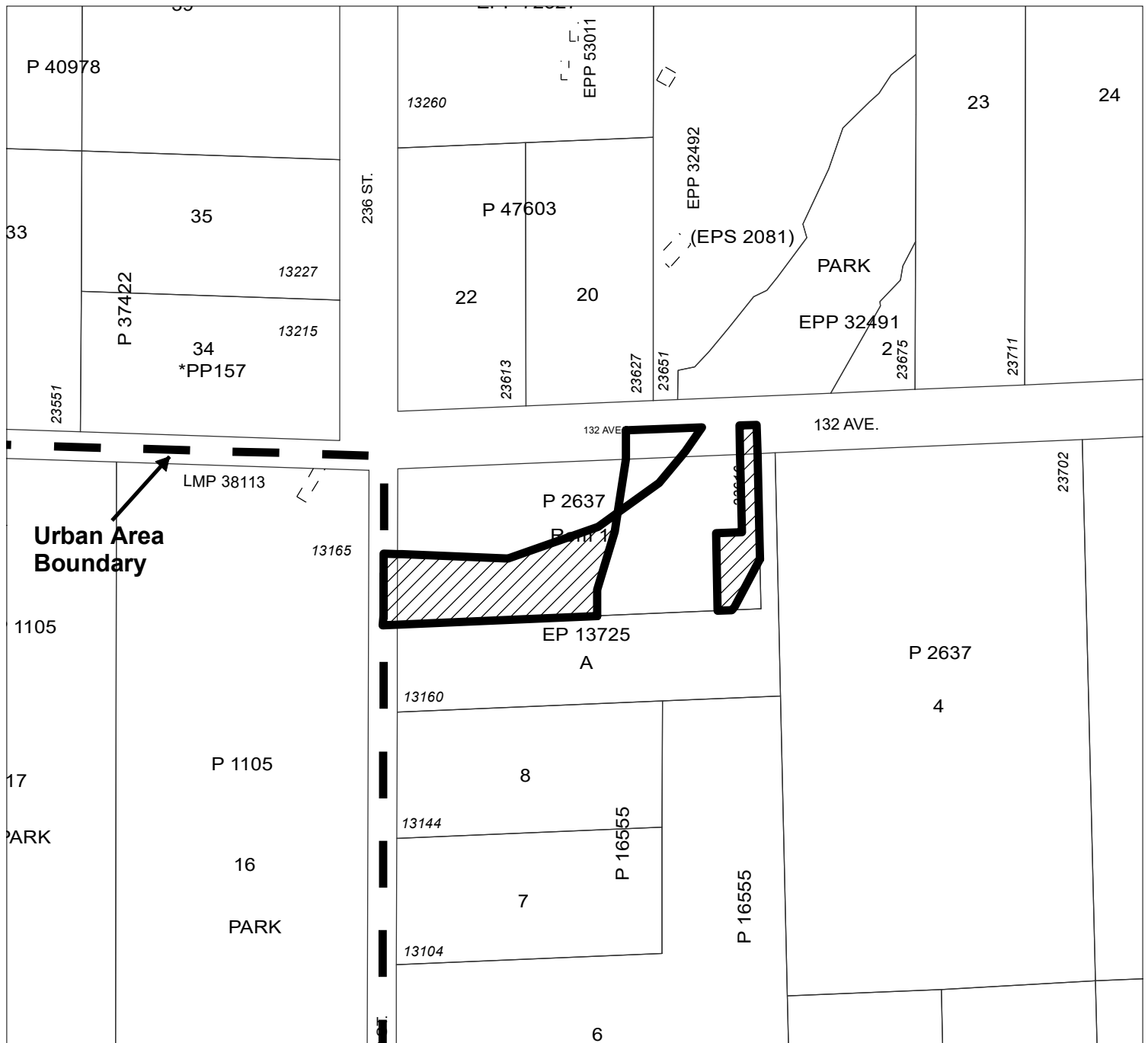
 Medium/High Density Residential



--- Urban Area Boundary



SCALE 1:2,000



# MAPLE RIDGE OFFICIAL COMMUNITY PLAN AMENDING

Bylaw No. 7469-2018

Map No. 977

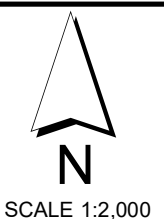
Purpose: To Amend Figure 4 of the Silver Valley Area Plan as Shown

 To Add To Conservation

 To Remove From Conservation



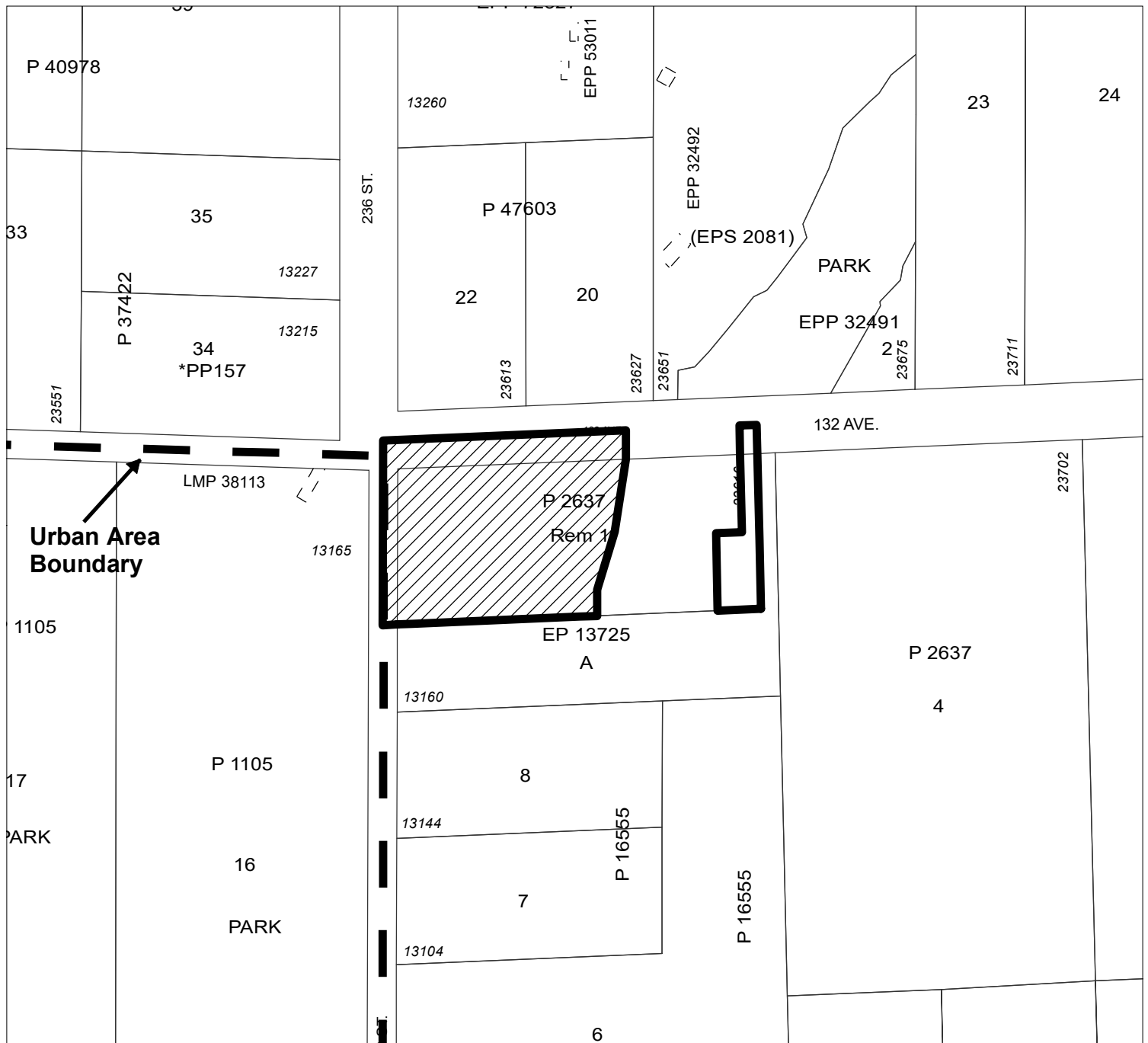
 Urban Area Boundary



## BYLAW NO. 7195-2015

**WHEREAS**, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 3510 - 1985 as amended;

CORPORATE OFFICER





# MAPLE RIDGE ZONE AMENDING

Bylaw No. 7195-2015

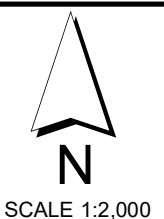
Map No. 1652

From: RS-2 (One Family Suburban Residential)

To:  R-1 (Residential District)  
 RM-1 (Townhouse Residential)



— — Urban Area Boundary

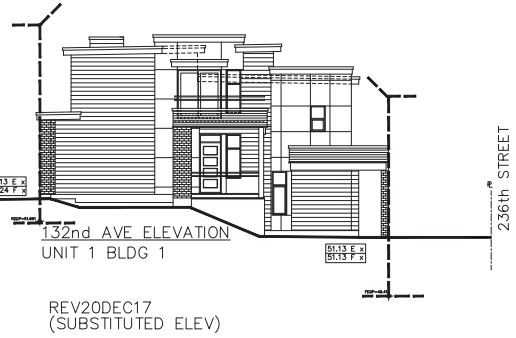
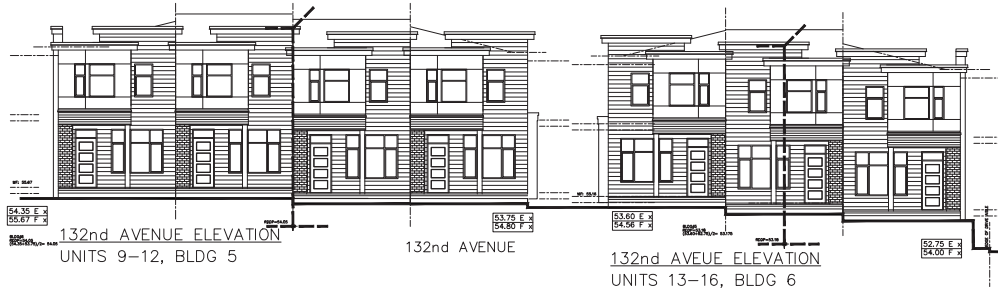




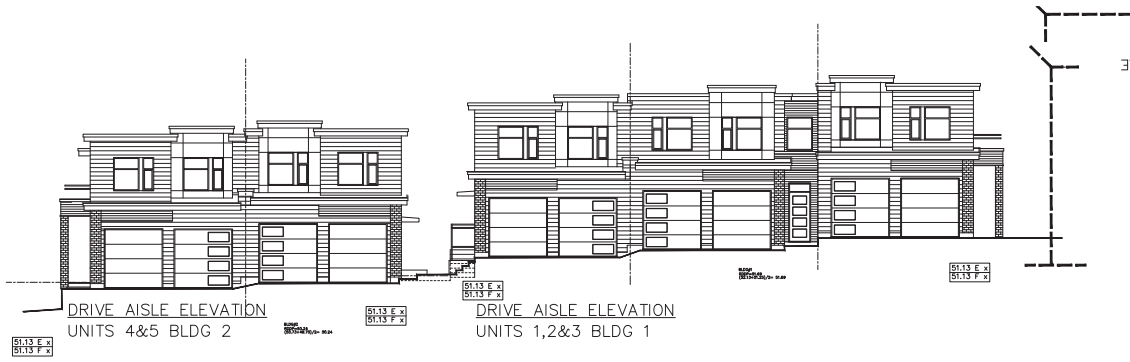
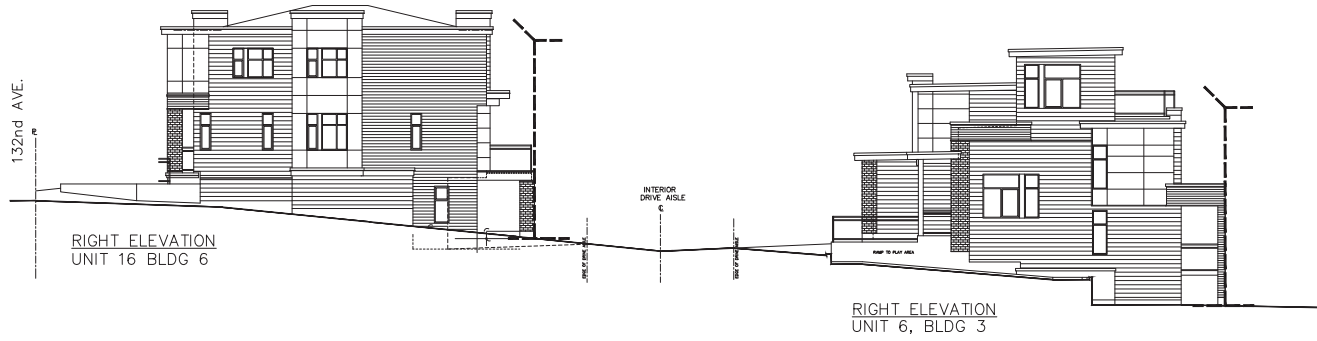




DRAWING NO:  1 of 3	REVISIONS PLOTTED	DATE	NO.	DESIGNED BY:	CLIENT:	ELEVATIONS	
				DRAWN BY:	PROJECT TITLE:		
					DRAWING TITLE:	SCALE: 1/8"=1'-0" U.N.C.	DATE: 17 AUGUST 2017
						E-FILE NAME	



DRAWING NO:		CLIENT:		PROJECT TITLE:		ELEVATIONS	
2 of 3		DESIGNED BY:		DRAWN BY:		DRAWING TITLE:	
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		E-FILE NAME											







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16-146







**DEVELOPMENT APPLICATION CHECKLIST  
FOR FILE 2018-122-RZ  
File Manager: Wendy Cooper**

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<b>Official Community Plan or Zoning Bylaw Amendments:</b>	<b>RECEIVED</b>	<b>NOT REQUIRED</b>
1. A completed Application Form (Schedule "A" – Development Procedures Bylaw No. 5879-1999)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. An application fee, payable to the City of Maple Ridge, in accordance with Development Application Fee Bylaw no. 5949-2001.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. A Certificate of Title and Consent Form if the applicant is different from the owner shown on the Certificate of Title.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. A legal survey of the property(ies)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Subdivision plan layout	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Neighbourhood context plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Lot grading plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Landscape plan**	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Preliminary architectural plans including site plan, building elevations, accessory off-street parking and general bylaw compliance reconciliation**.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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\* These items may not be required for single-family residential applications

+ These items may be required for two-family residential applications, as outlined in Council Policy No. 6.01

Additional reports provided:

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**City of Maple Ridge**

**TO:** Her Worship Mayor Nicole Read  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** **Second Reading**  
**Zone Amending Bylaw No. 7451-2018**  
**12419 Garibaldi Street**

**MEETING DATE:** June 26, 2018  
**FILE NO:** 2018-122-RZ  
**MEETING:** Council

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**EXECUTIVE SUMMARY:**

An application has been received to rezone the subject property located at 12419 Garibaldi Street from RS-3 (One Family Rural Residential) to RS-2 (One Family Suburban Residential), to permit a future subdivision of 2 residential lots. Council granted first reading to Zone Amending Bylaw No. 7451-2018 on May 8, 2018. The minimum lot size for the current RS-2 (One Family Suburban Residential) zone is 0.40 ha.

This application is in compliance with the Official Community Plan.

Pursuant to Council policy, this application is subject to the Voluntary Community Amenity Contribution Program at a rate of \$5,100.00 for the new single family lot, for an estimated amount of \$5,100.00.

**RECOMMENDATIONS:**

- 1) That Zone Amending Bylaw No. 7451-2018 be given second reading, and be forwarded to Public Hearing;
- 2) That the following terms and conditions be met prior to final reading:
  - i) Payment of two new 38mm water services;
  - ii) Receipt of Approval for on-site sewage disposal from the Ministry of Health;
  - iii) Registration of a Restrictive Covenant for the Geotechnical Report, which addresses the suitability of the subject property for the proposed development;
  - iv) Registration of a Restrictive Covenant for Tree Protection, Stormwater Management, and onsite sewage disposal for the protection of the septic field areas;
  - v) Complete application for a Wildfire Development Permit;
  - vi) That a voluntary contribution, in the amount of \$5,100.00 per single family lot created for a total of \$5,100.00 be provided in keeping with the Council Policy with regard to Community Amenity Contributions; and

- vii) In addition to the site profile, 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.

## **DISCUSSION:**

### **1) Background Context:**

Applicant: Andria and William Harmon

Legal Description: Lot 37, D.L. 6881, Group 1, NWD Plan 57415

OCP:

Existing: Suburban Residential

Zoning:

Existing: RS-3 (One Family Rural Residential)

Proposed: RS-2 (One Family Suburban Residential)

Surrounding Uses:

North:	Use:	Single Family Residential
	Zone:	RS-2 (One Family Suburban Residential)
	Designation:	Suburban Residential
South:	Use:	Single Family Residential
	Zone:	RS-3 (One Family Rural Residential)
	Designation:	Suburban Residential
East:	Use:	Single Family Residential
	Zone:	RS-3 (One Family Rural Residential)
	Designation:	Suburban Residential
West:	Use:	Single Family Residential
	Zone:	RS-3 (One Family Rural Residential)
	Designation:	Suburban Residential

Existing Use of Property: Rural Residential

Proposed Use of Property: Suburban Residential

Site Area: 0.80 ha (2.0 acres)

Access: Garibaldi Street

Servicing: Rural Standard

### **2) Project Description:**

The applicant has applied to rezone the subject property from RS-3 (One Family Rural Residential) zone to RS-2 (One Family Suburban Residential) zone to facilitate the subdivision of the subject property into two Suburban Residential lots. The applicant is proposing to retain the existing single family residence, providing the existing dwelling can be sited in accordance with setback requirements on the new lot.

There have been several rezonings in the area to RS-2 (One Family Suburban Residential). Appendix "A" highlights the subject property under application as well as, the properties in the surrounding neighbourhood that are zoned RS-2 (One Family Suburban Residential) zone.

### **3) Planning Analysis:**

#### **i) Official Community Plan:**

The surrounding neighbourhood and subject site are designated Suburban Residential within the Official Community Plan. The Suburban Residential designation Zoning Matrix identifies that the RS-2 (One Family Suburban Residential) zone is a compatible zone within the designation. The subject property is located outside of the Urban Area Boundary.

The following Official Community Plan policies support the rezoning of the subject property to RS-2 (One Family Suburban Residential) zone:

- Section 3.1.3 Suburban Residential, describes Suburban Residential designation as supporting single detached and duplex housing in areas outside the Urban Area Boundary that may have water service but which are not connected to the municipal sanitary sewer system.
- Suburban Residential Policy 3-11 supports single detached housing on large suburban lots. Lots sizes within this land use designation are generally 0.4 hectares in size.

The subject property has an onsite sewage disposal system and is serviced by City water.

In August, 2016 Council received a staff report outlining Suburban Residential and Estate Suburban Residential land use designation options. On September 5, 2017, after further review Council resolved that no changes would be made to the Estate Suburban and Suburban Residential OCP policies and that residential development could proceed accordingly.

#### **ii) Zoning Bylaw:**

The current proposal under application is to rezone the subject property located at 12419 Garibaldi Street from RS-3 (One Family Residential) to RS-2 (One Family Suburban Residential) to permit the subdivision of the subject property into two lots with an approximate lot area of 0.40 hectares in size. The RS-2 (One Family Suburban Residential) zone has a minimum parcel size of 0.40 hectares. The current application has not proposed any variances to the Zoning Bylaw.

### **4) Development Permits:**

Pursuant to Section 8.12 of the OCP, a Wildfire Development Permit application is required for all development and subdivision activity.

### **5) Environmental Implications:**

The subject property is located within the Wildfire Development Permit Area; therefore, a Wildfire Hazard Assessment will need to be prepared by a Registered Forester in addition to an Arborist Report prepared by a qualified Arborist will be required to fulfill the Tree Protection and Management Bylaw. The report prepared by the Registered Forester will assess and provide recommendations on how to mitigate wildfire hazards on the subject property. The Arborist Report will detail the number, type and health of the trees on the subject property. These reports need to be coordinated between

the two professionals to prevent contradictions between the Wildfire Development Permit and Tree Cutting Permit.

**6) Interdepartmental Implications:**

**i) Engineering Department:**

City sanitary or storm sewer are not available in the area; therefore, the applicant will have to install an onsite sanitary sewage disposal system.

The City has a water line fronting the subject property. New water services will be required in conjunction with the subdivision application for each lot. These new water services will be installed by the City at the applicant's expense.

**ii) Fire Department:**

The subject property is located within the Wildfire Development Permit area. The Fire Department will review the plan for the Wildfire Development and if required make recommendations on ways to fulfill the Development Permit Guidelines.

**CONCLUSION:**

It is recommended that second reading be given to Zone Amending Bylaw No. 7451-2018, and that application 2018-122-RZ be forwarded to Public Hearing.

"Original signed by Wendy Cooper"

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**Prepared by:** Wendy Cooper, MCIP, RPP  
Senior Planning Technician

"Original signed by Christine Carter"

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**Approved by:** Christine Carter, M. PL, MCIP, RPP  
Director of Planning

"Original signed by Frank Quinn"

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**Approved by:** Frank Quinn, MBA, P. Eng  
GM Public Works & Development Services

"Original signed by Paul Gill"

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**Concurrence:** Paul Gill, CPA, CGA  
Chief Administrative Officer

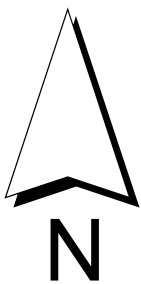
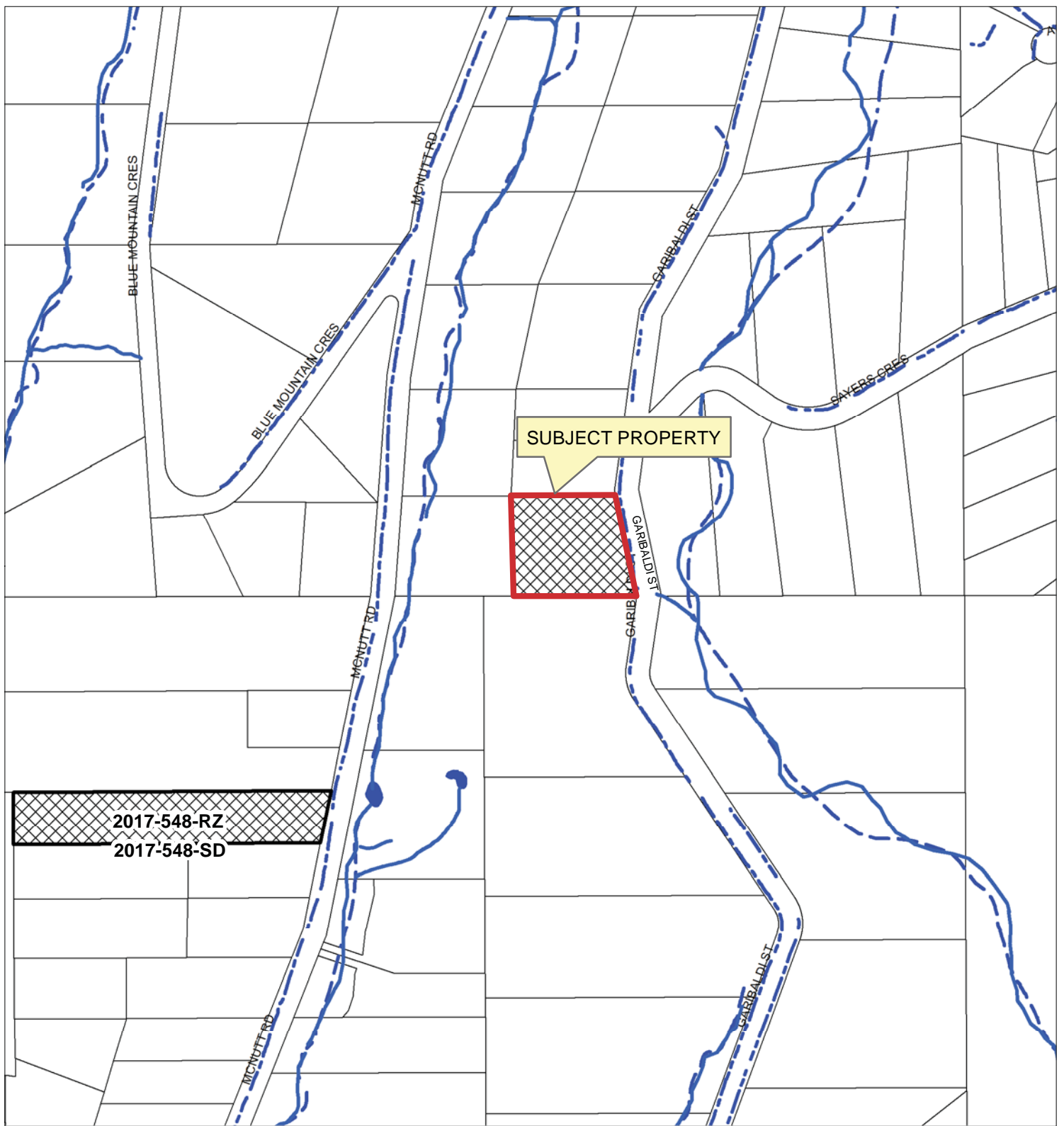
The following appendices are attached hereto:

Appendix A – Subject Map

Appendix B – Ortho Map





Appendix C – Zone Amending Bylaw No. 7451-2018

Appendix D – Site Plan



Scale: 1:4,500

## Legend

-  Stream
-  Ditch Centreline
-  Indefinite Creek
-  Lake or Reservoir

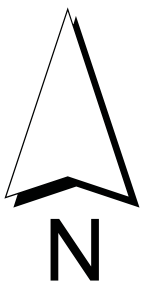
12419 GARIBALDI STREET



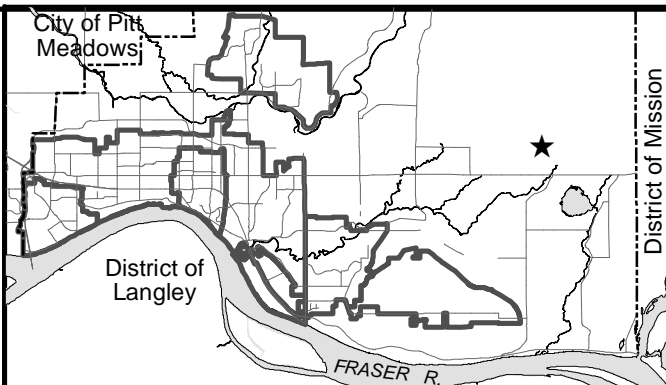
FILE: 2018-122-RZ  
 DATE: Jun 21, 2018

BY: PC





Scale: 1:2,500



12419 GARIBALDI STREET



FILE: 2018-122-RZ  
DATE: Apr 6, 2018

BY: PC



A Bylaw to amend Map "A" forming part of Zoning Bylaw No. 3510 - 1985 as amended

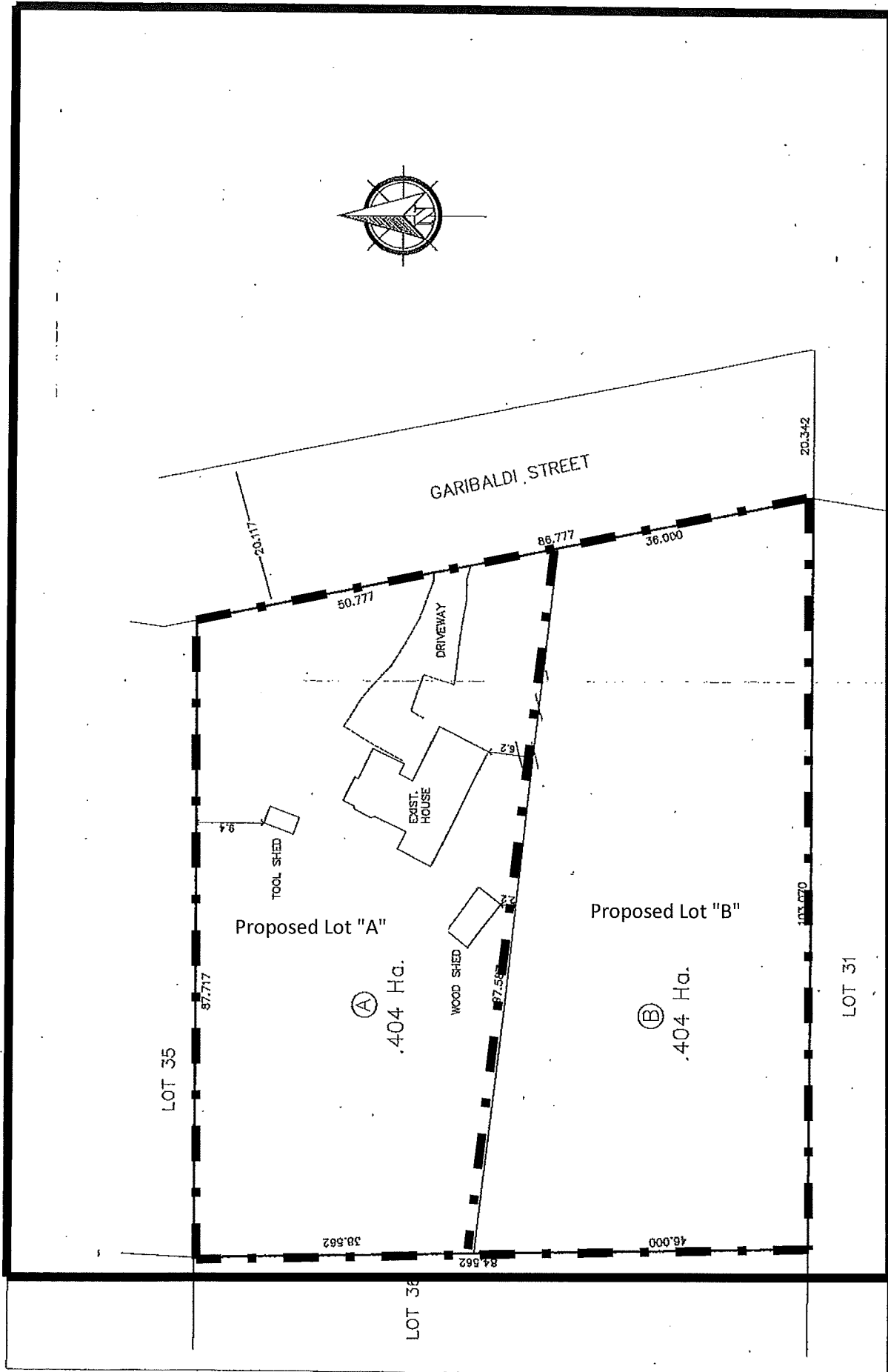
**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge enacts as follows:

- ADOPTED,** the            day of            , 20

CORPORATE OFFICER







**DEVELOPMENT APPLICATION CHECKLIST**  
**FOR FILE 2018-200-RZ**  
**File Manager: Lisa Zosiak**

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<b>Official Community Plan or Zoning Bylaw Amendments:</b>	<b>RECEIVED</b>	<b>NOT REQUIRED</b>
1. A completed Application Form (Schedule "A" – Development Procedures Bylaw No. 5879-1999)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. An application fee, payable to the City of Maple Ridge, in accordance with Development Application Fee Bylaw no. 5949-2001.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. A Certificate of Title and Consent Form if the applicant is different from the owner shown on the Certificate of Title.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. A legal survey of the property(ies)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Subdivision plan layout	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Neighbourhood context plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Lot grading plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Landscape plan <sup>++</sup>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Preliminary architectural plans including site plan, building elevations, accessory off-street parking and general bylaw compliance reconciliation <sup>++</sup> .	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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\* These items may not be required for single-family residential applications

+ These items may be required for two-family residential applications, as outlined in Council Policy No. 6.01

Additional reports provided:

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## City of Maple Ridge

**TO:** Her Worship Mayor Nicole Read  
and Members of Council  
**FROM:** Chief Administrative Officer  
**MEETING DATE:** June 26, 2018  
**FILE NO:** 2018-200-RZ  
**MEETING:** Council

**SUBJECT:** Detached Garden Suites (DGS) Pilot Project Bylaws for:

1. 26378 -126 Avenue: Zone Amending Bylaw 7472-2018  
& Housing Agreement Bylaw 7476-2018;
2. 23525 Dogwood Avenue: Zone Amending Bylaw 7473-2018  
& Housing Agreement Bylaw 7477-2018;
3. 12621 Ansell Street: Zone Amending Bylaw 7474-2018  
& Housing Agreement Bylaw 7478-2018;
4. 10861 Morrisette Place: Zone Amending Bylaw 7475-2018  
& Housing Agreement Bylaw 7479-2018.

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### EXECUTIVE SUMMARY:

At the June 19, 2018 Workshop Meeting, Council directed staff to prepare Zone Amending Bylaws, based on the Look-Book test case information, including property owner profiles, site plan, and conceptual elevations, for the four properties participating in the DGS Pilot Project.

The DGS Pilot Project will enable the construction of tangible examples of DGS units to showcase the following:

- Allow a Secondary Suite and a DGS on the same lot; and
- Allow a DGS size to be up to 140m<sup>2</sup> (1500 ft<sup>2</sup>) in size or 15% of the lot area, whichever is less.

Four Zone Amending Bylaws and Four Housing Agreement Bylaws are attached for Council consideration, one for each Pilot Project test case that may be considered separately. The content of these Bylaws are discussed in this report and attached for Council consideration.

## **RECOMMENDATIONS:**

1. For property located at 26378 – 126<sup>th</sup> Avenue:
  - a. THAT Zone Amending Bylaw 7472-2018 be given First and Second Reading and be forwarded to Public Hearing;
  - b. AND THAT Housing Agreement Bylaw 7476-2018 be given First, Second, and Third Reading.
2. For property located at 23525 Dogwood Avenue:
  - a. THAT Zone Amending Bylaw 7473-2018 be given First and Second Reading and be forwarded to Public Hearing;
  - b. AND THAT Housing Agreement Bylaw 7477-2018 be given First, Second, and Third Reading.
3. For property located at 12621 Ansell Street:
  - a. THAT Zone Amending Bylaw 7474-2018 be given First and Second Reading and be forwarded to Public Hearing;
  - b. AND THAT Housing Agreement Bylaw 7478-2018 be given First, Second, and Third Reading.
4. For property located at 10861 Morrisette Place:
  - a. THAT Zone Amending Bylaw 7475-2018 be given First and Second Reading and be forwarded to Public Hearing;
  - b. AND THAT Housing Agreement Bylaw 7479-2018 be given First, Second, and Third Reading.

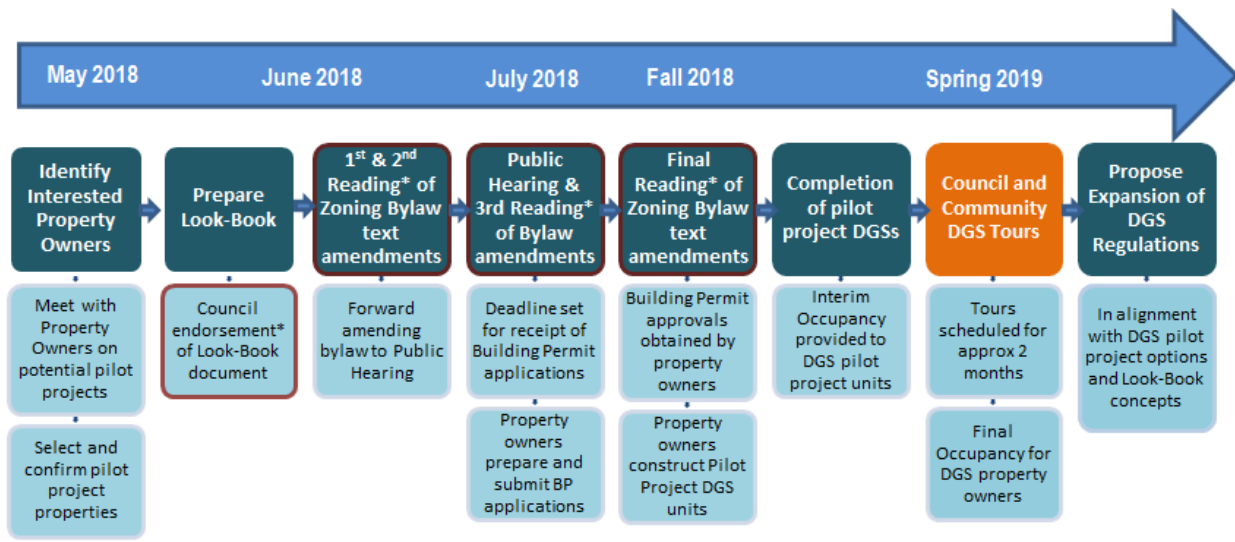
## **1.0 BACKGROUND:**

A review of the Zoning Bylaw regulations for DGS and Secondary Suites (SS) was initiated through Council direction from the August 29, 2016 workshop. Public consultation on potential expanded options for SS and DGS was undertaken in November 2017 with a DGS workshop and a SS and DGS public open house. The outcomes of the public consultation were presented to Council at the February 6, 2018 workshop, wherein exploration of a pilot project was initiated through a Council resolution.

Council endorsed a process and timeline for the DGS Pilot Project at the May 1, 2018 workshop. The project is intended to create tangible examples to showcase the following:

- Secondary Suite and a DGS on the same lot;
- DGS size to be a minimum of 20.3m<sup>2</sup> (219 ft<sup>2</sup>); and
- DGS size to be up to 140m<sup>2</sup> (1500 ft<sup>2</sup>) or 15% of the lot area, whichever is less.

The process and timeline for the DGS Pilot Project is shown in the diagram below.



\* Council consideration required

At the June 19, 2018 Workshop Meeting, Council directed staff to prepare Zone Amending Bylaws for the four test cases identified in the DGS Pilot Project Look-Book conceptual document. The Look-Book includes details on each test case, property owner profiles, site plans, and conceptual elevations.

While the intent of the DGS Pilot Project at the outset was to enable the construction of tangible examples of DGS units, no feasible examples of the option for a 20.3m<sup>2</sup> (219 ft<sup>2</sup>) came forward by the confirmation deadline and as such, the following two options will be showcased through this project:

- Allow a Secondary Suite and a DGS on the same lot; and
- Allow a DGS size to be up to 140m<sup>2</sup> (1500 ft<sup>2</sup>) in size or 15% of the lot area, whichever is less.

Also at the June 19<sup>th</sup> Workshop Meeting, Council directed staff to undertake a second phase of the DGS Pilot Project providing more time to identify possible test cases of:

- Small DGS unit, between 20.3m<sup>2</sup> (219 ft<sup>2</sup>) and 36m<sup>2</sup> (387 ft<sup>2</sup>);
- Large DGS unit, up to 15% of the lot area within the urban area on a lot size between 557m<sup>2</sup> (5,995 ft<sup>2</sup>) and 900m<sup>2</sup> (8,611 ft<sup>2</sup>);
- SS and DGS within the urban area.

Work on the second phase of the DGS Pilot Project will commence imminently.

## 2.0 DISCUSSION

The May 1, 2018 Council report discussed the requirement for text amendments to the Zoning Bylaw for each of the participating properties in order to permit constructing a DGS that does not conform to the existing regulations. In the same report a Housing Agreement Bylaw was discussed, including an outline for the content. Each Bylaw is discussed further below.

### 2.1 Text Amendment to Zoning Bylaw

Separate bylaws have been created for each of the four Pilot Project test cases so that Council has the option to consider each independently for First and Second Readings. Table 1 below contains the proposed text amendments for each of the test case properties:

**Table 1: Proposed Amendments to Zoning Bylaw**

	Address	DGS Pilot Option	DGS Siting	Building Height
1.	26378 – 126 <sup>th</sup> Avenue	140 m <sup>2</sup> (1500 ft <sup>2</sup> ) unit	None	Up to 7.5 metres (6.0 metres currently permitted)
2.	23525 Dogwood Avenue	140 m <sup>2</sup> (1500 ft <sup>2</sup> ) unit	Front Yard	None
3.	12621 Ansell Street	140 m <sup>2</sup> (1500 ft <sup>2</sup> ) unit	Exterior Side Yard	Up to 7.5 metres (6.0 metres currently permitted)
4.	10861 Morrisette Place	DGS size 47.6m <sup>2</sup> (512 ft <sup>2</sup> ) and SS on same lot	None	DGS is proposed over a garage with maximum height up to 6.5 metres (4.5 metres currently permitted).

For test cases #1 and #3, the property owners intend to construct their DGS units over a garage, which is permitted on these RS-2 zoned properties at an allowable maximum height of 6.0 metres. In order to construct a pitched roof to integrate some style to the structure (as opposed to a more flat roof), each of these property owners is proposing a height increase to 7.5 metres in height.

Discussions have been ongoing with the property owners of test case #4 in terms of providing parking on this 588m<sup>2</sup> RS-1b lot and the most efficient option to accommodate parking for the SS and the DGS is to allow the DGS to be constructed over a garage at the rear of the property, which is currently not permitted. The current site plan provides space for a driveway aisle along the side of the property to rear to access the garage. The property owner is proposing a shed roof for the DGS unit with the low end facing the rear property line, with a maximum building height of 6.0 metres, and the highest end facing the principal dwelling unit, with a maximum building height of 6.5 metres. Currently, for a DGS unit in the RS-1b zone the regulations permit a maximum building height of 4.5 metres.

### 2.2 Housing Agreement Bylaws

Within the existing regulations for a secondary suite or DGS, property owners are required to have a covenant registered on title stating that the property owner lives on the property and that one parking stall must be provided and maintained for the use of occupants of the accessory dwelling unit.

In a similar vein for the DGS Pilot Project, a Housing Agreement Bylaw has been prepared for each participating property that requires each property owner's agreement to various conditions including:

- Owner occupancy requirement for property owner to reside on site;
- Prohibiting the use of the DGS as a tourist accommodation;
- Requiring one on-site parking stall be maintained for the DGS unit (and also one for the SS on Morrisette Place);
- The timely preparation and iteration, at the property owner's cost of building permit plans submitted to the City;
- Adherence to the DGS Pilot Project timeline in order to process all housing agreement and text amendments concurrently;
- Facilitating transfer of ownership of the building permit plans to the City for other Maple Ridge residents to use as pre-approved building plans;
- Commencing construction of the DGS immediately upon adoption of the text amendment to the Zoning Bylaw and building permit issuance with the aim to have all DGS pilot projects completed at approximately the same time;
- Allowing public tours of the constructed DGS for Council and the community for approximately two months prior to receiving final occupancy;
- Use of images and their story in ongoing web and print media to further showcase the pilot project outcomes.

### **3.0 NEXT STEPS**

Should Council consider and give First and Second Reading to the Zone Amending Bylaws, they will be scheduled for the July 17, 2018 Public Hearing so that Third Reading may be considered by Council on July 24, 2018. The Housing Agreement Bylaws are also attached to this report for First, Second and Third Reading, as they do not require a Public Hearing. As such, Final Reading of the Housing Agreement Bylaws will be brought to Council for consideration with Final Reading of the Zone Amending Bylaws.

If the Zone Amending Bylaws receive Third Reading in July, the participating property owners may begin preparation of their building permit plans in order to meet an application deadline set for August 20, 2018. Achieving this deadline will provide the Building Department with sufficient time to process each application by mid-September and allow the Bylaws to be brought back to Council for final reading and adoption on October 9, 2018. Building permit plans will not be issued until Bylaw adoption and then each property owner will be required to commence construction with a completion deadline of March 2, 2019. A schedule for the DGS tours is anticipated to be available and promoted in early 2019.

### **4.0 INTERDEPARTMENTAL IMPLICATIONS**

It is anticipated that Planning staff will continue working on the DGS Pilot Project with the Building, Engineering, and Fire Departments to respond to participant inquiries, review applications, and work through the regulatory process towards construction of each DGS Pilot Project unit.

## 5.0 CONCLUSION:

It is recommended that in order to proceed with the next steps involved in the DGS Pilot Project, the Zone Amending Bylaws discussed in this report be given First and Second Reading and forwarded to Public Hearing; and that the Housing Agreement Bylaws discussed in this report be given First, Second, and Third Reading.

“Original signed by Lisa Zosiak”

---

**Prepared by:** Lisa Zosiak, MRM, MCIP, RPP  
Planner

“Original signed by Christine Carter”

---

**Approved by:** Christine Carter M.PL., MCIP, RPP  
Director of Planning

“Original signed by Frank Quinn”

---

**Approved by:** Frank Quinn, MBA. P.Eng  
GM: Public Works & Development Services

“Original signed by Paul Gill”

---

**Concurrence:** Paul Gill, CPA, CGA  
Chief Administrative Officer

The following appendices are attached hereto:

Appendix A: Zone Amending Bylaws 7472-2018, 7473-2018, 7474-2018, 7475-2018  
Appendix B: Housing Agreement Bylaws 7476-2018, 7477-2018, 7478-2018, 7479-2018



**CITY OF MAPLE RIDGE  
BYLAW NO. 7472-2018**

A Bylaw to amend the text of Maple Ridge Zoning Bylaw No. 3510-1985 as amended

---

**WHEREAS**, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 3510-1985 as amended:

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge enacts as follows:

This Bylaw may be cited as “Maple Ridge Zone Amending Bylaw No. 7472-2018”.

Scope:

This Bylaw recommends amendments that will permit expansion of the Detached Garden Suite regulations as part of a DGS Pilot Project for specific single-family properties.

1. PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- i. At 26378 – 126<sup>th</sup> Avenue (Lot 34, Except: Part Subdivided by Plan BCP13892, Section 24, Township 12, New Westminster District, Plan LMP19841) a Detached Garden Suite with a maximum Gross Floor Area of 140m<sup>2</sup> (1500 ft<sup>2</sup>) and a maximum building height of 7.5 metres from ground level is permitted.

2. Maple Ridge Zoning Bylaw No. 3510-1985 as amended is hereby amended accordingly.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

**PUBLIC HEARING** held the            day of            , 2018.

**READ** a third time the            day of            , 2018.

**ADOPTED** the            day of            , 2018

---

**PRESIDING MEMBER**

---

**CORPORATE OFFICER**

**CITY OF MAPLE RIDGE  
BYLAW NO. 7473-2018**

A Bylaw to amend the text of Maple Ridge Zoning Bylaw No. 3510-1985 as amended

---

**WHEREAS**, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 3510-1985 as amended:

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge enacts as follows:

This Bylaw may be cited as “Maple Ridge Zone Amending Bylaw No. 7473-2018”.

Scope:

This Bylaw recommends amendments that will permit expansion of the Detached Garden Suite regulations as part of a DGS Pilot Project for specific single-family properties.

1. PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- ii. At 23525 Dogwood Avenue (Lot “B”, Section 28, Township 12, New Westminster District, Plan 6734) a Detached Garden Suite with a maximum Gross Floor Area of 140m<sup>2</sup> (1500 ft<sup>2</sup>) located in the front yard is permitted.

2. Maple Ridge Zoning Bylaw No. 3510-1985 as amended is hereby amended accordingly.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

**PUBLIC HEARING** held the            day of            , 2018.

**READ** a third time the            day of            , 2018.

**ADOPTED** the            day of            , 2018

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**PRESIDING MEMBER**

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**CORPORATE OFFICER**

**CITY OF MAPLE RIDGE  
BYLAW NO. 7475-2018**

A Bylaw to amend the text of Maple Ridge Zoning Bylaw No. 3510-1985 as amended

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**WHEREAS**, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 3510-1985 as amended:

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge enacts as follows:

This Bylaw may be cited as “Maple Ridge Zone Amending Bylaw No. 7475-2018”.

Scope:

This Bylaw recommends amendments that will permit expansion of the Detached Garden Suite regulations as part of a DGS Pilot Project for specific single-family properties.

1. PART 4 GENERAL REGULATIONS, is amended as follows:

- a. Section 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES, Section 11, Dwelling units for a Detached Garden Suite use, be amended by adding the following new clause at the end of this Section in the correct alphabetical or numerical order:

The Detached Garden Suite provisions in this Section 11 will apply to the properties listed below, except where differences to these provisions are specifically stated for each:

- iv. At 10861 Morrisette Place (Lot 8, Section 11, Township 12, New Westminster District, Plan EPP67241) a Detached Garden Suite constructed above a garage with a maximum building height of 6.5 metres is permitted. A secondary suite within the principal dwelling unit is also permitted on this property.

2. Maple Ridge Zoning Bylaw No. 3510-1985 as amended is hereby amended accordingly.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

**PUBLIC HEARING** held the            day of            , 2018.

**READ** a third time the            day of            , 2018.

**ADOPTED** the            day of            , 2018

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**PRESIDING MEMBER**

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**CORPORATE OFFICER**

**CITY OF MAPLE RIDGE**

**BYLAW NO. 7476 – 2018**

**A Bylaw to authorize the City of Maple Ridge to enter into a  
Housing Agreement for 26378 – 126<sup>th</sup> Avenue**

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**WHEREAS** pursuant to Section 483 of the Local Government Act, as amended, Council may, by bylaw, enter into a housing agreement under that Section;

**AND WHEREAS** Council and Garry Edward Altenried and Lesli Vivian Altenried wish to enter into a housing agreement for the subject property at 26378 – 126<sup>th</sup> Avenue;

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge, in open meeting assembled, **ENACTS AS FOLLOWS**:

1. This Bylaw may be cited as “26378 – 126<sup>th</sup> Avenue Housing Agreement Bylaw No. 7476-2018”.
2. By this Bylaw Council authorizes the City to enter into a housing agreement with Garry Edward Altenried and Lesli Vivian Altenried, in respect to the following land:  
  
Lot 34, Except: Part Subdivided by Plan BCP13892, Section 24, Township 12, New Westminster District, Plan LMP19841
3. The Mayor and Corporate Officer are authorized to execute the housing agreement and all incidental instruments on behalf of the City of Maple Ridge.
4. Schedule A, attached to this Bylaw, is incorporated into and forms part of this Bylaw.
5. This bylaw shall take effect as of the date of adoption hereof.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

**READ** a third time the 26<sup>th</sup> day of June, 2018.

**ADOPTED**, the       day of       , 2018.

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**PRESIDING MEMBER**

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**CORPORATE OFFICER**

TERMS OF INSTRUMENT – PART 2  
SECTION 219 COVENANT AND HOUSING AGREEMENT  
(2018-200-RZ)

BETWEEN:

Garry Eddie Altenried and Lesli Vivian Altenried  
26378 – 126<sup>th</sup> Avenue, Maple Ridge, BC, V2W 1C9

(hereinafter called the "Covenantor")

OF THE FIRST PART

AND:

CITY OF MAPLE RIDGE  
11995 Haney Place, Maple Ridge, British Columbia, V2X 6A9

(hereinafter called the "City")

OF THE SECOND PART

**WHEREAS:**

- A. The Covenantor is the registered owner of certain lands situated in the City of Maple Ridge in the Province of British Columbia, and more particularly known and described as:
- PID: 019-045-824 Lot 34 Except: Part Subdivided by Plan BCP13892; Section 24, Township 12, New Westminster District, Plan LMP19841
- (hereinafter called the "Lands").
- B. The City has adopted an amendment to the City of Maple Ridge Zoning Bylaw No. 3510 - 1985 that authorizes construction of a detached garden suite on the Lands (the "Zoning Amendment Bylaw"), in furtherance of the City's Detached Garden Suite Pilot Project.
- C. The Covenantor has expressed interest in participating in the Detached Garden Suite Pilot Project.
- D. The Detached Garden Suite Pilot Project was initiated by the City with the intent of facilitating increased affordable housing choices in Maple Ridge.

- E. The Covenantor and the City wish to enter into this Agreement to set out the requirements for the development and use of the Detached Garden Suite to be constructed on the Lands, to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*.
- F. The City has adopted a bylaw under section 483 of the *Local Government Act* to authorize this Agreement as a housing agreement.

NOW THEREFORE in consideration of the premises and the covenants herein contained, the payment of the sum of One Dollar (\$1.00) paid by the City to the Covenantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree, pursuant to section 483 of the *Local Government Act* and section 219 of the *Land Title Act* (British Columbia) as follows:

### **Definitions**

- 1. In this Agreement:
  - (a) “Lands” means the land described in Item 2 of the General Instrument to which these, including any buildings now or hereafter located on the aforementioned land, and any part or a portion of such land or building into which said land or building is or may at any time be subdivided;
  - (b) “Design Professional” means the registered architect or other qualified professional retained by the Covenantor to design and prepare building permit drawings for the Detached Garden Suite;
  - (c) “Detached Garden Suite” has the same meaning as under the Zoning Bylaw;
  - (d) “Occupancy Permit” means an occupancy permit that is issued in accordance with the requirements of the City of Maple Ridge Building Bylaw No. 6925 – 2012; “One Family Residential” has the same meaning as under the Zoning Bylaw;
  - (e) “One Family Residential Structure” means a building containing a one family residential use, whether with or without a secondary suite;
  - (f) “Provisional Occupancy Permit” means a provisional occupancy permit that is issued in accordance with the requirements of the City of Maple Ridge Building Bylaw No. 6925 – 2012;
  - (g) “Secondary Suite Residential Use” has the same meaning as under the Zoning Bylaw; and
  - (h) “Tourist Accommodation” has the same meaning as under the Zoning Bylaw.

### **Use and Occupancy**

2. At all times that there exists on the Lands a one family residential structure and an authorized Detached Garden Suite and an authorized Secondary Suite, one or the other of them must be occupied by the registered owner in fee simple of the Lands as his or her principal residence.
3. The Covenantor must not use or permit the use of the Detached Garden Suite as tourist accommodation.

### **Off Street Parking**

4. The Covenantor must provide and maintain a separate off-street parking space on the Lands, in accordance with the requirements of the Zoning Bylaw, for each authorized Detached Garden Suite and authorized Secondary Suite Residential Use on the Lands.

### **Development of and Commencement of Occupancy of Detached Garden Suite**

5. The Covenantor must:
  - (a) make all reasonable efforts to commence construction of the Detached Garden Suite, in accordance with the requirements of this Agreement, within thirty days following adoption of the Zoning Amendment Bylaw and Housing Agreement Bylaw; and
  - (b) ensure that by March 2, 2019, construction of the Detached Garden Suite is completed to the point where the City's Chief Building Official may issue a provisional occupancy permit. Any amendments to this completion date must be mutually agreed upon by both parties.
6. The Covenantor must submit to the City, with the application for a building permit for the Detached Garden Suite, an agreement signed by the Covenantors and the Design Professional, in a form and on terms that are satisfactory to the City, transferring the ownership and copyright in the Design Professional's plans and designs for the Detached Garden Suite to the City, on terms that will allow other residents of the City use of those plans and designs as building permit plans for similar Detached Garden Suites.
7. The Covenantor must not commence the construction of the Detached Garden Suite until the agreement required under section 6 of this Agreement has been delivered to the City.
8. For a period of two months following the issuance of the provisional occupancy permit for the Detached Garden Suite, the Covenantors must not use or permit any use or occupancy of the Detached Garden Suite other than for public tours conducted by the City as part of the City's Detached Garden Suite Pilot Project.
9. The Covenantor must ensure that following completion of the public tour period referred to in section 5, the Detached Garden Suite meets all conditions under the City of Maple Ridge Building Bylaw No. 6925 – 2012 for the issuance of an occupancy permit.



### **Specific Performance**

10. The Covenantor agrees that because of the public interest in ensuring that all of the matters described in this Agreement are complied with, the public interest strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British Columbia at the instance of the City, in the event of an actual or threatened breach of this Agreement.

### **Notice of Housing Agreement**

11. For clarity, the Covenantor acknowledges and agrees that:
- (a) this Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a Housing Agreement entered into under section 483 of the *Local Government Act*;
  - (b) the City is required to file a notice of Housing Agreement in the Land Title Office against title to the Lands; and
  - (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Lands as a Housing Agreement under section 483 of the *Local Government Act*.

### **No Obligation to Enforce**

12. The rights given to the City by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the City to anyone, or obliges the City to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.

### **No Effect on Laws or Powers**

13. This Agreement does not:
- (a) affect or limit the discretion, rights, duties, or powers of the City or the Approving Officer for the City under the common law or any statute, bylaw, or other enactment, nor does this Agreement date or give rise to, nor do the parties intend this Agreement to create any implied obligations concerning such discretionary rights, duties or powers;
  - (b) affect or limit the common law or any statute, bylaw or other enactment applying to the Lands; or
  - (c) relieve the owner from complying with any common law or any statute, regulation, bylaw or other enactment.

### **Indemnity**

14. The Covenantor hereby releases the City, and indemnifies and saves the City harmless, from and against any and all actions, causes of actions, suits, claims (including claims for injurious affection), cost (including legal fees and disbursements), expenses, debts, demands, losses (including economic loss) and liabilities of whatsoever kind arising out of or in any way due or relating to the granting or existence of this Agreement, the restrictions or obligations contained in this Agreement or the performance or non-performance by the Covenantor of this Agreement that the City is or may become liable for, incur or suffer.

### **Priority**

15. The Covenantor will do everything necessary, at the Covenantor's expense, to ensure that this Agreement is registered against title to the Lands in priority to all liens, charges and encumbrances registered or pending registration against title to the Lands, save and except those specifically approved in writing by the City and those in favour of the City.

### **Waiver**

16. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

### **Interpretation**

17. In this Agreement:
- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - (b) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
  - (c) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (d) the word "enactment" has the meaning given to it in the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
  - (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replace, unless otherwise expressly provided;
  - (f) reference to "party" or the "parties" is a reference to a party, or the parties, to this Agreement and their respective successors, assigns, trustees, administrators and receivers;

- (g) time is of the essence; and
- (h) reference to a “day”, “month” or “year” is a reference to a calendar day, calendar month, or calendar year unless otherwise expressly provided.

#### **Further Acts**

- 18. The Covenantor will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

#### **Severance**

- 19. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

#### **No Other Agreements**

- 20. This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.

#### **Enurement**

- 21. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

#### **Deed and Contract**

- 22. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by this Agreement, the Covenantor and the City have executed the *Land Title Act* Form C or D, as the case may be, attached to and forming part of this Agreement.

**CONSENT & PRIORITY**

The Lender in consideration of the payment of ONE DOLLAR (\$1.00) and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged) hereby consents to the registration of the Covenant herein granted under Section 219 of the *Land Title Act*, running with the said lands and against the said lands and the Lender hereby postpones all of its rights under the Mortgage and Assignment of Rents registered respectively under No. \_\_\_\_\_ and \_\_\_\_\_ (the "Lender Documents") to those rights of the District under the Covenant herein in the same manner and to the same extent and effect as if the Covenant herein had been dated, granted and registered prior to the Lender Documents.

**CITY OF MAPLE RIDGE**

**BYLAW NO. 7477 – 2018**

**A Bylaw to authorize the City of Maple Ridge to enter into a  
Housing Agreement for 23525 Dogwood Avenue**

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**WHEREAS** pursuant to Section 483 of the Local Government Act, as amended, Council may, by bylaw, enter into a housing agreement under that Section;

**AND WHEREAS** Council and James Gordon Richardson and Brenda Shawneen Richardson wish to enter into a housing agreement for the subject property at 23525 Dogwood Avenue;

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as “23525 Dogwood Avenue Housing Agreement Bylaw No. 7477-2018”.
2. By this Bylaw Council authorizes the City to enter into a housing agreement with James Gordon Richardson and Brenda Shawneen Richardson, in respect to the following land:  
  
Lot “B”, Section 28, Township 12, New Westminster District, Plan 6734
3. The Mayor and Corporate Officer are authorized to execute the housing agreement and all incidental instruments on behalf of the City of Maple Ridge.
4. Schedule A, attached to this Bylaw, is incorporated into and forms part of this Bylaw.
5. This bylaw shall take effect as of the date of adoption hereof.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

**READ** a third time the 26<sup>th</sup> day of June, 2018.

**ADOPTED**, the       day of       , 2018.

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**PRESIDING MEMBER**

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**CORPORATE OFFICER**

TERMS OF INSTRUMENT – PART 2  
SECTION 219 COVENANT AND HOUSING AGREEMENT  
(2018-200-RZ)

BETWEEN:

James Gordon Richardson and Brenda Shawneen Richardson  
23525 Dogwood Avenue, Maple Ridge, BC, V2X 4S4

(hereinafter called the "Covenantor")

OF THE FIRST PART

AND:

CITY OF MAPLE RIDGE  
11995 Haney Place, Maple Ridge, British Columbia, V2X 6A9

(hereinafter called the "City")

OF THE SECOND PART

**WHEREAS:**

- A. The Covenantor is the registered owner of certain lands situated in the City of Maple Ridge in the Province of British Columbia, and more particularly known and described as:  
  
PID: 004-537-076 Lot "B", Section 28, Township 12, New Westminster District, Plan 6734  
  
(hereinafter called the "Lands").
- B. The City has adopted an amendment to the City of Maple Ridge Zoning Bylaw No. 3510 - 1985 that authorizes construction of a detached garden suite on the Lands (the "Zoning Amendment Bylaw"), in furtherance of the City's Detached Garden Suite Pilot Project.
- C. The Covenantor has expressed interest in participating in the Detached Garden Suite Pilot Project.
- D. The Detached Garden Suite Pilot Project was initiated by the City with the intent of facilitating increased affordable housing choices in Maple Ridge.

- E. The Covenantor and the City wish to enter into this Agreement to set out the requirements for the development and use of the Detached Garden Suite to be constructed on the Lands, to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*.
- F. The City has adopted a bylaw under section 483 of the *Local Government Act* to authorize this Agreement as a housing agreement.

NOW THEREFORE in consideration of the premises and the covenants herein contained, the payment of the sum of One Dollar (\$1.00) paid by the City to the Covenantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree, pursuant to section 483 of the *Local Government Act* and section 219 of the *Land Title Act* (British Columbia) as follows:

### **Definitions**

- 1. In this Agreement:
  - (a) “Lands” means the land described in Item 2 of the General Instrument to which these, including any buildings now or hereafter located on the aforementioned land, and any part or a portion of such land or building into which said land or building is or may at any time be subdivided;
  - (b) “Design Professional” means the registered architect or other qualified professional retained by the Covenantor to design and prepare building permit drawings for the Detached Garden Suite;
  - (c) “Detached Garden Suite” has the same meaning as under the Zoning Bylaw;
  - (d) “Occupancy Permit” means an occupancy permit that is issued in accordance with the requirements of the City of Maple Ridge Building Bylaw No. 6925 – 2012;
  - (e) “One Family Residential” has the same meaning as under the Zoning Bylaw;
  - (f) “One Family Residential Structure” means a building containing a one family residential use, whether with or without a secondary suite;
  - (g) “Provisional Occupancy Permit” means a provisional occupancy permit that is issued in accordance with the requirements of the City of Maple Ridge Building Bylaw No. 6925 – 2012;
  - (h) “Secondary Suite Residential Use” has the same meaning as under the Zoning Bylaw; and
  - (i) “Tourist Accommodation” has the same meaning as under the Zoning Bylaw.

### **Use and Occupancy**

2. At all times that there exists on the Lands an authorized one family residential structure, and authorized Detached Garden Suite and an authorized Secondary Suite, one or the other of them must be occupied by the registered owner in fee simple of the Lands as his or her principal residence.
3. The Covenantor must not use or permit the use of the Detached Garden Suite as tourist accommodation.

### **Off Street Parking**

4. The Covenantor must provide and maintain a separate off-street parking space on the Lands, in accordance with the requirements of the Zoning Bylaw, for each authorized Detached Garden Suite and authorized Secondary Suite Residential Use on the Lands.

### **Development of and Commencement of Occupancy of Detached Garden Suite**

5. The Covenantor must:
  - (a) make all reasonable efforts to commence construction of the Detached Garden Suite, in accordance with the requirements of this Agreement, within thirty days following adoption of the Zoning Amendment Bylaw and Housing Agreement Bylaw; and
  - (b) ensure that by March 2, 2019, construction of the Detached Garden Suite is completed to the point where the City's Chief Building Official may issue a provisional occupancy permit. Any amendments to this completion date must be mutually agreed upon by both parties.
6. The Covenantor must submit to the City, with the application for a building permit for the Detached Garden Suite, an agreement signed by the Covenantors and the Design Professional, in a form and on terms that are satisfactory to the City, transferring the ownership and copyright in the Design Professional's plans and designs for the Detached Garden Suite to the City, on terms that will allow other residents of the City use of those plans and designs as building permit plans for similar Detached Garden Suites.
7. The Covenantor must not commence the construction of the Detached Garden Suite until the agreement required under section 6 of this Agreement has been delivered to the City.
8. For a period of two months following the issuance of the provisional occupancy permit for the Detached Garden Suite, the Covenantors must not use or permit any use or occupancy of the Detached Garden Suite other than for public tours conducted by the City as part of the City's Detached Garden Suite Pilot Project.
9. The Covenantor must ensure that following completion of the public tour period referred to in section 5, the Detached Garden Suite meets all conditions under the City of Maple Ridge Building Bylaw No. 6925 – 2012 for the issuance of an occupancy permit.



### **Specific Performance**

10. The Covenantor agrees that because of the public interest in ensuring that all of the matters described in this Agreement are complied with, the public interest strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British Columbia at the instance of the City, in the event of an actual or threatened breach of this Agreement.

### **Notice of Housing Agreement**

11. For clarity, the Covenantor acknowledges and agrees that:
- (a) this Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a Housing Agreement entered into under section 483 of the *Local Government Act*;
  - (b) the City is required to file a notice of Housing Agreement in the Land Title Office against title to the Lands; and
  - (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Lands as a Housing Agreement under section 483 of the *Local Government Act*.

### **No Obligation to Enforce**

12. The rights given to the City by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the City to anyone, or obliges the City to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.

### **No Effect on Laws or Powers**

13. This Agreement does not:
- (a) affect or limit the discretion, rights, duties, or powers of the City or the Approving Officer for the City under the common law or any statute, bylaw, or other enactment, nor does this Agreement date or give rise to, nor do the parties intend this Agreement to create any implied obligations concerning such discretionary rights, duties or powers;
  - (b) affect or limit the common law or any statute, bylaw or other enactment applying to the Lands; or
  - (c) relieve the owner from complying with any common law or any statute, regulation, bylaw or other enactment.

### **Indemnity**

14. The Covenantor hereby releases the City, and indemnifies and saves the City harmless, from and against any and all actions, causes of actions, suits, claims (including claims for injurious affection), cost (including legal fees and disbursements), expenses, debts, demands, losses (including economic loss) and liabilities of whatsoever kind arising out of or in any way due or relating to the granting or existence of this Agreement, the restrictions or obligations contained in this Agreement or the performance or non-performance by the Covenantor of this Agreement that the City is or may become liable for, incur or suffer.

### **Priority**

15. The Covenantor will do everything necessary, at the Covenantor's expense, to ensure that this Agreement is registered against title to the Lands in priority to all liens, charges and encumbrances registered or pending registration against title to the Lands, save and except those specifically approved in writing by the City and those in favour of the City.

### **Waiver**

16. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

### **Interpretation**

17. In this Agreement:
- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - (b) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
  - (c) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (d) the word "enactment" has the meaning given to it in the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
  - (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
  - (f) reference to "party" or the "parties" is a reference to a party, or the parties, to this Agreement and their respective successors, assigns, trustees, administrators and receivers;

- (g) time is of the essence; and
- (h) reference to a “day”, “month” or “year” is a reference to a calendar day, calendar month, or calendar year unless otherwise expressly provided.

#### **Further Acts**

- 18. The Covenantor will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

#### **Severance**

- 19. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

#### **No Other Agreements**

- 20. This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.

#### **Enurement**

- 21. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

#### **Deed and Contract**

- 22. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by this Agreement, the Covenantor and the City have executed the *Land Title Act* Form C or D, as the case may be, attached to and forming part of this Agreement.

**CONSENT & PRIORITY**

The Lender in consideration of the payment of ONE DOLLAR (\$1.00) and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged) hereby consents to the registration of the Covenant herein granted under Section 219 of the *Land Title Act*, running with the said lands and against the said lands and the Lender hereby postpones all of its rights under the Mortgage and Assignment of Rents registered respectively under No. \_\_\_\_\_ and \_\_\_\_\_ (the "Lender Documents") to those rights of the District under the Covenant herein in the same manner and to the same extent and effect as if the Covenant herein had been dated, granted and registered prior to the Lender Documents.

**CITY OF MAPLE RIDGE**

**BYLAW NO. 7479 – 2018**

**A Bylaw to authorize the City of Maple Ridge to enter into a  
Housing Agreement for 10861 Morrisette Place**

---

**WHEREAS** pursuant to Section 483 of the Local Government Act, as amended, Council may, by bylaw, enter into a housing agreement under that Section;

**AND WHEREAS** Council and Ramandeep Kaur Dhaliwal and Swaranjit Kaur Dhaliwal wish to enter into a housing agreement for the subject property at 10861 Morrisette Place;

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as “10861 Morrisette Place Housing Agreement Bylaw No. 7479-2018”.
2. By this Bylaw Council authorizes the City to enter into a housing agreement with Ramandeep Kaur Dhaliwal and Swaranjit Kaur Dhaliwal, in respect to the following land:  
  
Lot 8, Section 11, Township 12, New Westminster District, Plan EPP67241
3. The Mayor and Corporate Officer are authorized to execute the housing agreement and all incidental instruments on behalf of the City of Maple Ridge.
4. Schedule A, attached to this Bylaw, is incorporated into and forms part of this Bylaw.
5. This bylaw shall take effect as of the date of adoption hereof.

**READ** a first time the 26<sup>th</sup> day of June, 2018.

**READ** a second time the 26<sup>th</sup> day of June, 2018.

**READ** a third time the 26<sup>th</sup> day of June, 2018.

**ADOPTED**, the       day of       , 2018.

---

**PRESIDING MEMBER**

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**CORPORATE OFFICER**

TERMS OF INSTRUMENT – PART 2  
SECTION 219 COVENANT AND HOUSING AGREEMENT  
(2018-200-RZ)

BETWEEN:

Ramandeep Kaur Dhaliwal and Swaranjit Kaur Dhaliwal  
10861 Morrisette Place, Maple Ridge, BC

(hereinafter called the "Covenantor")

OF THE FIRST PART

AND:

CITY OF MAPLE RIDGE  
11995 Haney Place, Maple Ridge, British Columbia, V2X 6A9

(hereinafter called the "City")

OF THE SECOND PART

**WHEREAS:**

- A. The Covenantor is the registered owner of certain lands situated in the City of Maple Ridge in the Province of British Columbia, and more particularly known and described as:
- PID: 030-313-392 Lot 8, Section 11, Township 12, New Westminster District, Plan EPP67241
- (hereinafter called the "Lands").
- B. The City has adopted an amendment to the City of Maple Ridge Zoning Bylaw No. 3510 - 1985 that authorizes construction of a Detached Garden Suite and a Secondary Suite on the Lands (the "Zoning Amendment Bylaw"), in furtherance of the City's Detached Garden Suite Pilot Project.
- C. The Covenantor has expressed interest in participating in the Detached Garden Suite Pilot Project.
- D. The Detached Garden Suite Pilot Project was initiated by the City with the intent of facilitating increased affordable housing choices in Maple Ridge.

- E. The Covenantor and the City wish to enter into this Agreement to set out the requirements for the development and use of the Detached Garden Suite and Secondary Suite to be constructed on the Lands, to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*.
- F. The City has adopted a bylaw under section 483 of the *Local Government Act* to authorize this Agreement as a housing agreement.

NOW THEREFORE in consideration of the premises and the covenants herein contained, the payment of the sum of One Dollar (\$1.00) paid by the City to the Covenantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree, pursuant to section 483 of the *Local Government Act* and section 219 of the *Land Title Act* (British Columbia) as follows:

**Definitions**

- 1. In this Agreement:
  - (a) “Lands” means the land described in Item 2 of the General Instrument to which these, including any buildings now or hereafter located on the aforementioned land, and any part or a portion of such land or building into which said land or building is or may at any time be subdivided;
  - (b) “Design Professional” means the registered architect or other qualified professional retained by the Covenantor to design and prepare building permit drawings for the Detached Garden Suite;
  - (c) “Detached Garden Suite” has the same meaning as under the Zoning Bylaw;
  - (d) “Occupancy Permit” means an occupancy permit that is issued in accordance with the requirements of the City of Maple Ridge Building Bylaw No. 6925 – 2012;
  - (e) “One Family Residential” has the same meaning as under the Zoning Bylaw;
  - (f) “One Family Residential Structure” means a building containing a one family residential use, whether with or without a secondary suite;
  - (g) “Provisional Occupancy Permit” means a provisional occupancy permit that is issued in accordance with the requirements of the City of Maple Ridge Building Bylaw No. 6925 – 2012;
  - (h) “Secondary Suite Residential Use” has the same meaning as under the Zoning Bylaw; and
  - (i) “Tourist Accommodation” has the same meaning as under the Zoning Bylaw.



### **Use and Occupancy**

2. At all times that there exists on the Lands a one family residential structure, an authorized Detached Garden Suite and an authorized Secondary Suite, one or the other of them must be occupied by the registered owner in fee simple of the Lands as his or her principal residence.
3. The Covenantor must not use or permit the use of the Detached Garden Suite as tourist accommodation.

### **Off Street Parking**

4. The Covenantor must provide and maintain a separate off-street parking space on the Lands, in accordance with the requirements of the Zoning Bylaw, for each authorized Detached Garden Suite and authorized Secondary Suite Residential Use on the Lands.

### **Development of and Commencement of Occupancy of Detached Garden Suite**

5. The Covenantor must:
  - (a) make all reasonable efforts to commence construction of the Detached Garden Suite, in accordance with the requirements of this Agreement, within thirty days following adoption of the Zoning Amendment Bylaw and Housing Agreement Bylaw; and
  - (b) ensure that by March 2, 2019, construction of the Detached Garden Suite is completed to the point where the City's Chief Building Official may issue a provisional occupancy permit. Any amendments to this completion date must be mutually agreed upon by both parties.
6. The Covenantor must submit to the City, with the application for a building permit for the Detached Garden Suite, an agreement signed by the Covenantors and the Design Professional, in a form and on terms that are satisfactory to the City, transferring the ownership and copyright in the Design Professional's plans and designs for the Detached Garden Suite to the City, on terms that will allow other residents of the City use of those plans and designs as building permit plans for similar Detached Garden Suites.
7. The Covenantor must not commence the construction of the Detached Garden Suite until the agreement required under section 6 of this Agreement has been delivered to the City.
8. For a period of two months following the issuance of the provisional occupancy permit for the Detached Garden Suite, the Covenantors must not use or permit any use or occupancy of the Detached Garden Suite other than for public tours conducted by the City as part of the City's Detached Garden Suite Pilot Project.
9. The Covenantor must ensure that following completion of the public tour period referred to in section 5, the Detached Garden Suite meets all conditions under the City of Maple Ridge Building Bylaw No. 6925 – 2012 for the issuance of an occupancy permit.

### **Specific Performance**

10. The Covenantor agrees that because of the public interest in ensuring that all of the matters described in this Agreement are complied with, the public interest strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British Columbia at the instance of the City, in the event of an actual or threatened breach of this Agreement.

### **Notice of Housing Agreement**

11. For clarity, the Covenantor acknowledges and agrees that:
- (a) this Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a Housing Agreement entered into under section 483 of the *Local Government Act*;
  - (b) the City is required to file a notice of Housing Agreement in the Land Title Office against title to the Lands; and
  - (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Lands as a Housing Agreement under section 483 of the *Local Government Act*.

### **No Obligation to Enforce**

12. The rights given to the City by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the City to anyone, or obliges the City to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.

### **No Effect on Laws or Powers**

13. This Agreement does not:
- (a) affect or limit the discretion, rights, duties, or powers of the City or the Approving Officer for the City under the common law or any statute, bylaw, or other enactment, nor does this Agreement date or give rise to, nor do the parties intend this Agreement to create any implied obligations concerning such discretionary rights, duties or powers;
  - (b) affect or limit the common law or any statute, bylaw or other enactment applying to the Lands; or
  - (c) relieve the owner from complying with any common law or any statute, regulation, bylaw or other enactment.

### **Indemnity**

14. The Covenantor hereby releases the City, and indemnifies and saves the City harmless, from and against any and all actions, causes of actions, suits, claims (including claims for injurious affection), cost (including legal fees and disbursements), expenses, debts, demands, losses (including economic loss) and liabilities of whatsoever kind arising out of or in any way due or relating to the granting or existence of this Agreement, the restrictions or obligations contained in this Agreement or the performance or non-performance by the Covenantor of this Agreement that the City is or may become liable for, incur or suffer.

### **Priority**

15. The Covenantor will do everything necessary, at the Covenantor's expense, to ensure that this Agreement is registered against title to the Lands in priority to all liens, charges and encumbrances registered or pending registration against title to the Lands, save and except those specifically approved in writing by the City and those in favour of the City.

### **Waiver**

16. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

### **Interpretation**

17. In this Agreement:
- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - (b) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
  - (c) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (d) the word "enactment" has the meaning given to it in the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
  - (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replace, unless otherwise expressly provided;
  - (f) reference to "party" or the "parties" is a reference to a party, or the parties, to this Agreement and their respective successors, assigns, trustees, administrators and receivers;

- (g) time is of the essence; and
- (h) reference to a “day”, “month” or “year” is a reference to a calendar day, calendar month, or calendar year unless otherwise expressly provided.

#### **Further Acts**

- 18. The Covenantor will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

#### **Severance**

- 19. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

#### **No Other Agreements**

- 20. This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.

#### **Enurement**

- 21. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

#### **Deed and Contract**

- 22. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by this Agreement, the Covenantor and the City have executed the *Land Title Act* Form C or D, as the case may be, attached to and forming part of this Agreement.

**CONSENT & PRIORITY**

The Lender in consideration of the payment of ONE DOLLAR (\$1.00) and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged) hereby consents to the registration of the Covenant herein granted under Section 219 of the *Land Title Act*, running with the said lands and against the said lands and the Lender hereby postpones all of its rights under the Mortgage and Assignment of Rents registered respectively under No. \_\_\_\_\_ and \_\_\_\_\_ (the "Lender Documents") to those rights of the District under the Covenant herein in the same manner and to the same extent and effect as if the Covenant herein had been dated, granted and registered prior to the Lender Documents.