

City of Maple Ridge

**COUNCIL WORKSHOP AGENDA**

**October 26, 2021**

**11:00 a.m.**

**Virtual Online Meeting including Council Chambers**

*The purpose of the Council Workshop is to review and discuss policies and other items of interest to Council. Although resolutions may be passed at this meeting, the intent is to make a consensus decision to send an item to Council for debate and vote or refer the item back to staff for more information or clarification.*

*The meeting is live streamed and recorded by the City of Maple Ridge.*

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**REMINDER: Council Meeting – October 26, 2021 at 7:00 p.m.**

**1. APPROVAL OF THE AGENDA**

**2. ADOPTION OF MINUTES**

- October 12, 2021
- October 19, 2021

**3. PRESENTATIONS AT THE REQUEST OF COUNCIL**

**4. UNFINISHED AND NEW BUSINESS**

**4.1 Integrated Stormwater Management Plans – Consultants' Presentations**

Staff report dated October 26, 2021 recommending that the South Alouette and Kanaka Creek Integrated Stormwater Management Plan prepared by Urban Systems Ltd. and that the Blaney, North Alouette and Fraser River Integrated Stormwater Management Plan prepared by Kerr Wood Leidal Associates Ltd. be endorsed.

**4.1.1 Blaney, North Alouette and Fraser River Integrated Stormwater Management Plan**

Presentation by Kerr Wood Leidal Associates Ltd.

**4.1.2 South Alouette and Kanaka Creek Integrated Stormwater Management Plan**

Presentation by Urban Systems Ltd.

4.2 **Regulatory Changes to Increase Housing Flexibility in the Agricultural Land Reserve**

Staff report dated October 26, 2021 providing information on changes to properties in the Agricultural Land Reserve introduced by the Ministry of Agriculture to allow landowners to be conditionally permitted to provide an additional residence on their property without requiring a formal application to the Agricultural Land Commission.

5. **CORRESPONDENCE**

6. **BRIEFING ON OTHER ITEMS OF INTEREST / QUESTIONS FROM COUNCIL**

7. **MATTERS DEEMED EXPEDIENT**

8. **NOTICE OF CLOSED COUNCIL MEETING**

9. **ADJOURNMENT**

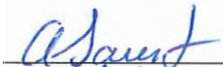
APPROVED BY:



DATE:

Oct. 21, 2021

PREPARED BY



DATE:

October 21, 2021

CHECKED BY:



DATE:

Oct. 21 / 2021

2.0 Adoption of Minutes

City of Maple Ridge

**COUNCIL WORKSHOP MINUTES**

October 12, 2021

The Minutes of the City Council Meeting held on October 12, 2021 at 11:00 a.m. held virtually and hosted in the Council Chambers of the City Hall, 11995 Haney Place, Maple Ridge, British Columbia for the purpose of transacting regular City business.

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<i>PRESENT</i>	<i>Appointed Staff</i>
<i>Elected Officials</i>	A. Horsman, Chief Administrative Officer
Mayor M. Morden	C. Carter, General Manager Planning & Development Services
Councillor J. Dueck	C. Crabtree, General Manager Corporate Services
Councillor C. Meadus	S. Hartman, General Manager Parks, Recreation & Culture
Councillor G. Robson	D. Pollock, General Manager Engineering Services
Councillor R. Svendsen	P. Hlavac-Winsor, General Counsel and Executive Director, Legislative Services
Councillor A. Yousef	S. Nichols, Corporate Officer
	T. Thompson, Director of Finance
<i>ABSENT</i>	<i>Other Staff as Required</i>
Councillor K. Duncan	J. Dingwall, Manager of Utility Engineering
	C. Goddard, Director of Planning
	F. Smith, Director of Engineering

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These Minutes are posted on the City Web Site at [www.mapleridge.ca](http://www.mapleridge.ca)

Note: Due to COVID Councillor Yousef participated virtually.

Note: Councillor Robson was not in attendance at the start of the meeting.

1. **APPROVAL OF THE AGENDA**

R/2021-WS-073

It was moved and seconded

**That the agenda of the October 12, 2021 Council Workshop Meeting be approved as circulated.**

CARRIED

2. **ADOPTION OF MINUTES**

2.1 **Minutes of the September 27, 2021 Special Council Workshop Meeting**

R/2021-WS-074

It was moved and seconded

**That the minutes of the Special Council Workshop Meeting of September 27, 2021 be adopted as circulated.**

CARRIED

3. **PRESENTATIONS AT THE REQUEST OF COUNCIL – Nil**

4. **UNFINISHED AND NEW BUSINESS**

4.1 **Integrated Stormwater Management Plans Update**

Staff report dated October 12, 2021 providing information on Integrated Stormwater Management Plans (ISMPs) for the South Alouette River, Kanaka Creek, Blaney Creek, North Alouette and Fraser River watersheds developed to preserve watershed health while facilitating the requirements of community growth.

The Director of Engineering reviewed the staff report and provided a presentation on the integrated stormwater management plans including business plan implications and next steps in the process.

Note: Councillor Robson joined the meeting electronically at 11:10 a.m. during the staff presentation.

Staff responded to questions from Council.

5. **CORRESPONDENCE – Nil**

6. **BRIEFING ON OTHER ITEMS OF INTEREST/QUESTIONS FROM COUNCIL – Nil**

7. **MATTERS DEEMED EXPEDIENT – Nil**

8. **NOTICE OF CLOSED COUNCIL MEETING**

R/2021-WS-075

Moved and seconded

**That the meeting be closed to the public pursuant to Sections 90 (1) and 90 (2) of the Community Charter as the subject matter being considered relates to the following:**

**Section 90(1)(a) Personal information about an identifiable individual is being considered for a position as an officer, employee or agent of the municipality.**

**Section 90(1)(c) Labour relations or employee negotiations.**

**Section 90(1)(e) The acquisition of land or improvements, if the council considers that disclosure might reasonably be expected to harm the interests of the municipality.**

**Any other matter that may be brought before the Council that meets the requirements for a meeting closed to the public pursuant to Sections 90 (1) and 90 (2) of the Community Charter or Freedom of Information and Protection of Privacy Act.**

CARRIED

9. **ADJOURNMENT** – 11:56 a.m.

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M. Morden, Mayor

Certified Correct

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S. Nichols, Corporate Officer

City of Maple Ridge

**COUNCIL WORKSHOP MINUTES**

October 19, 2021

The Minutes of the City Council Meeting held on October 19, 2021 at 9:00 a.m. held virtually and hosted in the Council Chambers of the City Hall, 11995 Haney Place, Maple Ridge, British Columbia for the purpose of transacting regular City business.

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<i>PRESENT</i>	<i>Appointed Staff</i>
<i>Elected Officials</i>	A. Horsman, Chief Administrative Officer
Mayor M. Morden	C. Carter, General Manager Planning & Development Services
Councillor J. Dueck	C. Crabtree, General Manager Corporate Services
Councillor C. Meadus	S. Hartman, General Manager Parks, Recreation & Culture
Councillor G. Robson	D. Pollock, General Manager Engineering Services
Councillor R. Svendsen	P. Hlavac-Winsor, General Counsel and Executive Director, Legislative Services
Councillor A. Yousef	S. Nichols, Corporate Officer
<i>ABSENT</i>	<i>Other Staff as Required</i>
Councillor K. Duncan	K. Gowan, Planner
	M. McMullen, Acting Director of Planning
	D. Olivieri, Manager of Corporate Planning & Consultation

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These Minutes are posted on the City Web Site at [www.mapleridge.ca](http://www.mapleridge.ca)

Note: Due to the COVID-19 pandemic, Councillor Robson and Councillor Yousef chose to participate electronically. The Mayor chaired the meeting from Chambers.

Note: Councillor Meadus was absent at the start of the meeting.

1. **APPROVAL OF THE AGENDA**

R/2021-WS-076

It was moved and seconded

**That the agenda of the add date, 2021 Council Workshop Meeting be approved as circulated.**

CARRIED

2. **ADOPTION OF MINUTES**

2.1 **Minutes of the September 28, 2021 Council Workshop Meeting**

R/2021-WS-077

It was moved and seconded

**That the minutes of the Council Workshop Meeting of September 28, 2021 be adopted as circulated.**

CARRIED

3. **PRESENTATIONS AT THE REQUEST OF COUNCIL – Nil**

4. **UNFINISHED AND NEW BUSINESS**

4.1 **Committees of Council 2022 Work Plan Review**

Staff report dated October 19, 2021 providing Committees of Council work plans for review and feedback.

The Manager of Corporate Planning & Consultation reviewed the staff report.

4.2 **Parking Bylaw Amendment - Payment-In-Lieu Rates Parking Rate Off-Street Parking and Loading Amending Bylaw No. 7795-2021**

Staff report dated October 19, 2021 recommending that draft Off-Street Parking and Loading Amending Bylaw No. 7795-2021 be forwarded to a future Committee of the Whole Meeting including revisions as directed.

K. Gowan, Planner, provided a presentation on the proposed bylaw amendments in relation to parking in-lieu rates. Staff explained the purpose of the parking in-lieu bylaw and responded to questions from Council.

Note: Councillor Yousef left the meeting at 9:39 a.m. and returned at 9:43 a.m.

R/2021-WS-078

Moved and seconded

**That the draft Off-Street Parking and Loading Amending Bylaw No. 7795-2021 be forwarded to a future Committee of the Whole Meeting including revisions as directed during the October 19, 2021 Council Workshop Meeting.**

CARRIED

Staff clarified that the off-street parking and loading amending bylaw does not require notification or public hearing and that each file manager will be in touch with applicants relative to any changes to the rates.



Note: Councillor Robson left the meeting at 9:59 a.m. and returned at 10:02 a.m.  
Councillor Yousef left the meeting at 10:02 a.m.

Note: Councillor Meadus entered the meeting at 10:04 a.m. and participated in-person.

#### 4.3 **Committee Task Force Review – Revised Committees of Council Policy 3.11**

Staff report dated October 19, 2021 recommending that Committees of Council Policy No. 3.11 be approved.

Note: Councillor Yousef returned to the meeting at 10:05 a.m.

The General Counsel and Executive Director, Legislative Services reviewed the staff report and staff answered Council questions.

Councillor Dueck spoke to the work of the Committee Task Force and clarified Item 1.8. Councillor Yousef requested clarification as to how the policy relates to the Council Procedure Bylaw and Council Conduct Bylaw.

Note: Councillor Yousef left the meeting at 10:35 a.m. and returned at 10:39 a.m.

R/2021-WS-079

Moved and seconded

**That the proposed changes to Council Policy No. 3.11 be brought forward to a future meeting as determined by staff in the form of an amending policy including revisions as directed.**

CARRIED

Note: The meeting recessed at 10:51 a.m. and reconvened at 11:06

#### 4.4 **Proposed Amendments to Council Procedure Bylaw No. 7700-2021**

Staff report dated October 19, 2021 recommending that the proposed changes to Maple Ridge Council Procedure Bylaw No. 7700-2021 be forwarded to a future Committee of the Whole Meeting in the form of an amending bylaw including revisions as directed.

The General Counsel and Executive Director, Legislative Services reviewed the staff report and proposed amendments to the bylaw.

R/2021-WS-080

Moved and seconded

**That the proposed changes to Council Procedure Bylaw No. 7700-2021 be brought forward to a future meeting as determined by staff in the form of an amending bylaw including revisions as directed.**

CARRIED

**4.5 Proposed Revisions to Code of Conduct Bylaw No. 7637-2020**

Staff report dated October 19, 2021 recommending that proposed changes to Council Conduct Bylaw No. 7637-2020 be forwarded to a future Committee of the Whole Meeting in the form of a new or amending bylaw including revisions as directed.

The General Counsel and Executive Director, Legislative Services reviewed the staff report and proposed amendments to the bylaw. Staff responded to questions from Council.

R/2021-WS-081

Moved and seconded.

**That the proposed changes to Council Conduct Bylaw No. 7637-2020 be brought forward to a future Committee of the Whole meeting in the form of a new or amending bylaw including revisions as directed.**

CARRIED

5. **CORRESPONDENCE** – Nil
6. **BRIEFING ON OTHER ITEMS OF INTEREST/QUESTIONS FROM COUNCIL** – Nil
7. **MATTERS DEEMED EXPEDIENT** – Nil
8. **NOTICE OF CLOSED COUNCIL MEETING** – Nil
9. **ADJOURNMENT** – 12:45 p.m.

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M. Morden, Mayor

Certified Correct

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S. Nichols, Corporate Officer



## City of Maple Ridge

**mapleridge.ca**

**TO:** His Worship Mayor Michael Morden  
and Members of Council

**MEETING DATE:** October 26, 2021  
**FILE NO:** 11-5255-20-061

**FROM:** Chief Administrative Officer

**MEETING:** Workshop

**SUBJECT:** Integrated Stormwater Management Plans ~ Consultants' Presentations

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### EXECUTIVE SUMMARY:

Integrated Stormwater Management Plans (ISMPs) are high level watershed reviews developed to preserve watershed health while facilitating the requirements of community growth. To achieve this, the ISMP process examines the relationship between land use planning and development, environmental performance, existing drainage infrastructure and environmental protection.

ISMPs have been developed for the South Alouette River and Kanaka Creek watersheds (by Urban Systems Ltd.) as well as the Blaney Creek, North Alouette and Fraser River watersheds (by Kerr Wood Leidal Associates Ltd.). These ISMPs were developed over multiple years and provide an overview of the watersheds, review how rainwater is currently managed, evaluate the performance of drainage trunk systems, outline challenges and provide recommendations for improvements. Both plans have been enhanced by feedback and information received from the Environmental Advisory Committee, a public survey and a number of internal and external stakeholders.

Council received both ISMPs at the October 12, 2021 workshop, along with a staff presentation; however, given their size and complexity, staff deferred the consultant presentations and endorsement discussions to the October 26, 2021 meeting to allow additional time for Council's review.

The October 26, 2021 presentations are an opportunity for staff to summarize and respond to Council's questions/comments from October 12, 2021, and provide an opportunity for the project consultants to present directly to Council and field any additional questions.

### RECOMMENDATION:

That the South Alouette and Kanaka Creek Integrated Stormwater Management Plan, prepared by Urban Systems Ltd., dated September 2021 be endorsed; and

That the Blaney, North Alouette and Fraser River Integrated Stormwater Management Plan, prepared by Kerr Wood Leidal Associates Ltd., dated October 2021 be endorsed.

### DISCUSSION:

a) **Background Context:**

Council received both ISMPs at the October 12, 2021 workshop, along with a staff presentation; however, given their size and complexity, staff deferred the consultant

presentations and endorsement discussions to the October 26, 2021 meeting to allow additional time for Council's review.

At the October 12, 2021 workshop, Council identified questions and comments regarding the ISMPs, some of which were responded to directly at the time, and others which required further consideration prior to response. These questions and comments are detailed below. The October 26, 2021 presentations are an opportunity to summarize and respond to the questions and comments from October 12, 2021, and provide an opportunity for the project consultants to present directly to Council and field any additional questions Council may have on the technical aspects of their respective reports.

Council Question/Comments:

1. How was feedback from Alouette River Management Society (ARMS) incorporated into the documents?

Feedback from ARMS can be summarized into two categories, technical and process related. Technical feedback has been included where possible, however, some of the process related feedback was more challenging to incorporate as it is governed through the development approval process. Overall, ARMS was supportive of the ISMPs and provided meaningful constructive criticism which made a positive difference.

2. What will the ISMP communications strategy be?

Once the ISMPs have been endorsed, staff will work to develop a targeted communications strategy to support the required investments. These communication efforts will be aligned with sub-watershed Drainage Master Plan work scheduled to commence in 2022.

3. How will the infrastructure investments be funded?

Funding requirements can be summarized into two general categories, infrastructure replacement due to condition or climate requirements and infrastructure replacement as a result of growth. Infrastructure replacement due to condition or climate requirements is funded through infrastructure replacement funding and the drainage levy; whereas, Infrastructure replacement due to growth is funded through development cost charges. These two replacement drivers can also apply to the same project, when this occurs, the funds are allocated proportionally.

Further, staff will develop a funding strategy for Council's consideration.

4. When did the Province first request ISMPS from municipalities?

In 2001, Metro Vancouver and its members developed an adopted a Liquid Waste Management Plan. As part of this Plan, Metro Vancouver member municipalities committed to completing ISMPs for all urban and semi-urban watersheds by the end of 2014. This deadline was subsequently extended to the end of 2016, by the Minister of Environment, subject to the development of an acceptable ISMP Adaptive Management Framework.

Given the size, scope and complexity of ISMP development, some member municipalities are still working to meet these commitments. In general, lessons learned over the past 20 years have helped improve the planning process and has lead to stronger, more involved plans.

5. What storm water regulations guide ISMP development?

Stormwater management and policy development is a municipal responsibility and predominately managed through the City's Subdivision and Development Servicing Bylaw No. 4800-1993 and the corresponding Design Criteria Manual. In addition, the following and several other bylaws and Acts also provide direction on stormwater management:

- Metro Vancouver's Integrated Liquid Waste Management Plan
- Local Government Act
- Province of BC - Water Sustainability Act
- BC Building Code
- Government of Canada - Fisheries Act

6. How will stormwater management be considered during infill construction?

Further investigation into the effectiveness of the City's tiered drainage criteria is essential to understand how effectively small lots are controlling their storm water. This review is scheduled to progress next year.

7. Would like to see an aggressive infrastructure investment in green stormwater infrastructure.

The Planning Department is undertaking a Green Infrastructure Management Strategy that will encompass stormwater. This initiative is currently under development.

8. How will we manage stormwater connections in the Fraser River Escarpment?

The Fraser River Escarpment Risk Assessment is ongoing. Staff recommend a strategic plan to manage stormwater connections follow the completion of that work.

9. Given the infrastructure investment identified in the ISMPs will the City be reviewing the drainage levy?

Yes, the drainage levy will be reviewed; however, this work is scheduled to align with the development of a funding strategy.

10. Were First Nations invited to participate in the ISMPs?

Yes, staff reached out on a number of occasions in various formats; unfortunately, given competing demands, Katzie First Nation and Kwantlen First Nation were unable to respond to consultation opportunities.

11. How do we maintain environmental protection while enclosing ditch networks and will future sub-watershed Drainage Master Plans address piped networks versus open ditch treatments?

Sub-watershed Master Drainage Plans will allow for a more detailed analysis of existing infrastructure and will provide recommendations based on a number of factors including environmental protection.

12. Does the ISMP work provide an opportunity to provide leadership within the region regarding stormwater management practices, specifically how they relate to green infrastructure?

The ISMPs identified Maple Ridge as an early adopter of policy and criteria that has improved sustainable development practices while supporting community growth. Key successes achieved to date have been progressive watercourse setbacks and designation of environmentally sensitive protection areas, and the formation of three-tiered rainwater management criteria. While considered progressive, further investigation into the effectiveness of the criteria is recommended.

As part of this work, green infrastructure guidelines and design criteria will be considered as sub-watershed Drainage Master Plans are advanced.

13. Will there be consultation with the Development Community?

Members of the development community were engaged as part of the ISMP process, and consultants have taken their feedback into account when developing the ISMPs. There will be further opportunities for consultation as part of a review of the tiered drainage design criteria.

14. Should we be revising our DCCs to accommodate future stormwater infrastructure requirements?

Yes, projects included within the drainage Development Cost Charge portfolio will be reviewed and refined as sub-watershed Drainage Master Plans are completed.

15. Are there any grant opportunities that we can proceed with now as we move forward with the sub-watershed Drainage Master Plans?

Yes, staff will monitor available grant prospects and bring forward opportunities for Council's consideration as they become available.

16. Will the ISMPs be integrated into the Alouette River and current water use plan?

In regard to BC Hydro's Water Use Plan Order and Order Review, the City has confirmed interest and availability to participate as a stakeholder in the process.

17. What drove stormwater management standards prior to the ISMPs?

Integrated Stormwater Management has been a concept within the region since 2001, essentially building upon best management practices available at the time. Since then, municipalities have incorporated advancements in adaptive management frameworks and integration of green infrastructure in design in Integrated Stormwater Management Planning.

18. How do we provide equity across the City for both services and taxation?

Our current obligation to provide existing services is our core focus. Layering on new infrastructure on top of these commitments will require strategic planning. This planning will occur as the Strategic Transportation Plan and sub-watershed Drainage Master Plans are finalized. Staff will insure the equitable distribution forms part of the evaluation.

19. Would like to see a video similar to the Budget and Property Tax Bill video recently produced by the finance team.

Staff will ensure this is considered in upcoming work.

20. Would like to make sure stormwater management for Thornhill is considered in upcoming servicing review.

Staff will ensure this is considered following the initial area planning exercises for the Thornhill Urban Reserve.

**b) Strategic Alignment:**

Integrated stormwater management planning supports Council's strategic priorities of Community Safety, Inter-Government Relations, Growth and Natural Environment. The ISMP also fulfills a directive of the Official Community Plan.

**c) Citizen/Customer Implications:**

The improvements to watershed health and drainage infrastructure recommended in the ISMP will benefit the community.

**d) Interdepartmental Implications:**

Implementing the recommendations of the ISMPs will affect Finance, Engineering, Engineering Operations, Parks & Facilities, Environmental Planning, Community Planning and Building. The implications for these areas will be varied, including providing internal stakeholder feedback on proposed solutions, budgeting, monitoring, analysis, planning, community consultation, construction and maintenance work.

**e) Business Plan/Financial Implications:**

Both ISMPs recommend significant investments in stormwater management. These recommendations require further synthesis and prioritization.

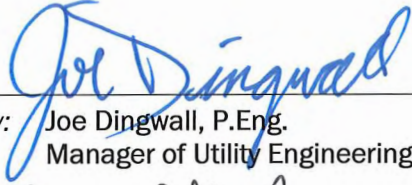
In general, there are elements which can be incorporated into the 2022-2026 Business and Capital Plans; however, the majority of investments identified require further evaluation and prioritization. Balancing the needs of existing infrastructure replacement with the desire for service level enhancements (new infrastructure) will also be required.

Sub-watershed Drainage Master Plans are necessary to validate the assumptions of the ISMP model, study overland flow paths and analyze pipes smaller than 400mm or 16". The first of these plans was recently initiated in the Eagle Avenue and Gee Street neighbourhood (northeast of Dewdney Trunk Road and 228 Street) and the Lower Hammond Neighbourhood is scheduled to commence in 2022.

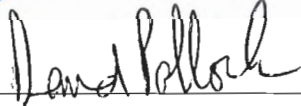
Sub-watershed Drainage Master Plans, in conjunction with the Fraser River Escarpment Risk Analysis and the ISMP work completed to date will inform the cumulative scope of existing drainage infrastructure improvements required. Once determined, staff will review the available funding options for Council's consideration.

**CONCLUSION:**

This report provides an opportunity for staff to address Council comments and questions from the October 12, 2021 Council Workshop meeting and introduce the consultant's presentations. Pending the consultant's presentations and following dialogue, staff will be requesting Council's endorsement for the South Alouette and Kanaka Creek Integrated Stormwater Management Plan and the Blaney, North Alouette, and Fraser River Integrated Stormwater Management Plan. Upon endorsement, staff will proceed with sub-watershed Drainage Master Plans, review infrastructure grant opportunities and proceed with development of a funding strategy for drainage infrastructure investments.



Prepared by: Joe Dingwall, P.Eng.  
Manager of Utility Engineering



Reviewed by: Forrest Smith, P.Eng.  
Director of Engineering



Approved by: David Pollock, P.Eng.  
General Manager Engineering Services



Concurrence: Al Horsman  
Chief Administrative Officer





**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** **Regulatory Changes to Increase Housing Flexibility in the Agricultural Land Reserve**

**MEETING DATE:** October 26, 2021  
**MEETING:** Workshop

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**EXECUTIVE SUMMARY:**

On July 12, 2021, the Ministry of Agriculture (Ministry) introduced changes to properties in the Agricultural Land Reserve (ALR). These legislative changes will come into effect on December 31, 2021, and are aimed at increasing residential flexibility and providing more housing options for properties located within the ALR.

Under the new legislation, landowners will be conditionally permitted to provide an additional residence on their property without requiring a formal application to the Agricultural Land Commission (ALC). This change translates into reduced processing time for both the landowner and the local government. It will also continue to provide the local government greater autonomy to further regulate or restrict residential uses.

This report discusses the ALC changes, the impacts to local government and the benefits to landowners in the ALR. It should be noted that the ALC has been tasked with the practical implications of responding to these new Ministry regulations. For this reason, the ALC is still working through the potential scenarios associated with these proposed changes.

The *Maple Ridge Zoning Bylaw No. 7600-2019* is largely compliant with the new ALC regulations; however, an amendment is needed to remove the requirement for ALC approval for items related to additional residences (i.e. detached garden suites). This change is considered minor in nature and will be addressed in the upcoming Zoning Bylaw housekeeping amendments package in Quarter 4, 2021.

**RECOMMENDATION:**

For information only.

**DISCUSSION:**

**1) Background Context:**

In February 2019, the Ministry amended the *Agricultural Land Commission Act* to ensure better protection of ALR lands for farming, with the three most significant changes outlined below:

- Address the over-sized ‘mega-mansions’ and speculation in the ALR by limiting the size of these principal residences and empower the ALC to approve additional residences for farm help;
- Restrict the removal of soil and increase penalties for dumping harmful fill in the ALR; and
- Reunify the ALR as a single zone to ensure consistent rules and strong protection for all ALR lands.

The first item above, as it relates to additional residences, is the most relevant and applicable to this report and references the 'phase-out' of a previous and long-standing rule that had permitted landowners in the ALR to place a small secondary residence without ALC approval (as long as it was a manufactured home and the occupants were immediate family members). Public concern was brought forward regarding this phase-out change and the Ministry delayed the implementation of new policy that would have required stricter measures for secondary residences.

In the latter half of 2019, the Ministry hosted public consultation and engagement sessions and the outcomes identified that more flexibility is needed for residences in the ALR. Some of the rationale and support that came from the above-mentioned consultation process included:

- Keeping loved ones (aging parents) on the property;
- Creating options for jointly owning property;
- Providing a residence for persons transitioning out of farming, or a new person transitioning into farming;
- Creating efficiencies for small-scale farmers through farm-worker accommodations; or
- Creating a source of rental income separate from the agricultural uses (see Appendix A).

It is noted that regulations continue to evolve, and under previous regulations, local governments had the authority to approve all principal residences in the ALR, up to any size (as per local bylaws). Local governments also had the authority to approve additional residences if they were necessary for farm help, provided the property had farm status through the BC Assessment Authority and the need for the help could be demonstrated. Local governments could also require that the landowner receive ALC approval for an additional residence through a non-farm use application, which would typically be triggered if local government regulations did not outright support this use, or if further clarity was sought to determine if the additional residence was necessary for farm help, which was the practice with Maple Ridge.

## 2) Current Regulations:

The *Agricultural Land Commission Act* and current regulations permit the following dwelling types without a decision from the ALC for lands in the ALR, should local bylaws permit them:

- One secondary suite in the principal single-family dwelling and either one manufactured home up to 9 metres wide for immediate family; or, an accommodation constructed above an existing building on the farm that has only a single level;
- A principal residence that is less than 500m<sup>2</sup> (5,382 ft<sup>2</sup>)
  - A principal residence larger than 500m<sup>2</sup> (5,382 ft<sup>2</sup>) or an additional residence (other than the above-mentioned manufactured home) requires a Non-Adhering Residential Use (NARU) application to the ALC. Local government initiates the NARU application and it is Council's discretion to either deny or forward the application to the ALC.

## 3) Proposed Regulation Changes (in effect December 31, 2021):

### 3.1 Instances Where ALC Applications No Longer Required

The following regulation changes prescribed by the Ministry are listed below and refer to residential uses in the ALR that **will not** require an application to the ALC for their approval (see Appendix B) and will instead only be subject to local government regulations and approval processes.

- If the parcel is 40 ha (99 acres) or less, the ALC permits without application / approval:
  - Principal residence, the total floor area of which is 500m<sup>2</sup> (5,382 ft<sup>2</sup>) or less; and
  - Additional residence, the total floor area of which is 90m<sup>2</sup> (968 ft<sup>2</sup>) or less.

- If the parcel is 40 ha (99 acres) or more, the ALC permits without application / approval:
  - Principal residence, the total floor area of which is any size permitted under the *Agricultural Land Reserve Act*; and
  - Additional residence, the total floor area of which is 186m<sup>2</sup> (2,002 ft<sup>2</sup>) or less.

If the existing principal residence is greater than 500m<sup>2</sup> (5,382 ft<sup>2</sup>) and located on a parcel less than 40 ha (99 acres), an additional residence for non-farm use would **NOT** be permitted. It is noted that additional residences that do not meet the regulations will require a Non-Adhering Residential Use application and can only be approved, if necessary, for farm help. Table 1 below provides a quick summary of permitted residential uses and ALC approval requirements.

**Table 1: ALC Residential Use Regulatory Requirements**

Property Size	Existing Residence	Additional Residence	Permitted by the ALC	ALC Application Required
Less than 40 ha	Less than 500m <sup>2</sup>	Less than 90m <sup>2</sup>	Yes	No
Less than 40 ha	Less than 500m <sup>2</sup>	Greater than 90m <sup>2</sup>	No	N/A
Less than 40 ha	Greater than 500m <sup>2</sup> *	Less than 90m <sup>2</sup>	No	Yes
Greater than 40 ha	No size requirement	Less than 186m <sup>2</sup>	Yes	No
Greater than 40 ha	No size requirement	Greater than 186m <sup>2</sup>	No	N/A

\* Application (NARU) to the ALC can be made for proposed principal residences greater than 500m<sup>2</sup> (5,382 ft<sup>2</sup>) or for additional residences (beyond the permitted secondary residence) for farm use only.

The *Maple Ridge Zoning Bylaw No. 7600-2019* is in alignment with the Ministry’s regulation changes in terms of area requirements for additional detached residences (detached garden suites (DGS)) up to a maximum of 90m<sup>2</sup> (968 ft<sup>2</sup>). The City does not currently permit a principal dwelling size to exceed 500m<sup>2</sup> (5,382 ft<sup>2</sup>) within the ALR, regardless of parcel size, nor does the City permit detached garden suites up to 186m<sup>2</sup> (2,002 ft<sup>2</sup>) (the maximum permitted DGS size permitted in the Zoning Bylaw is 90m<sup>2</sup>). It is noted that there are approximately six ALR properties within Maple Ridge that are greater than 40 ha (99 acres).

### 3.2 Permitted Housing Form (ALC):

The flexible housing options permitted under the proposed regulations, as identified by the ALC, can include, but are not limited to:

- Detached garden suites, guest houses or carriage suites;
- Manufactured homes;
- Accommodation above an existing building; and  
Principal residence constructed in addition to a manufactured home that was formerly the principal residence.

The new regulations will not impose any restrictions on who can occupy an additional residence, as there is no longer a requirement for immediate family members only.

#### 3.2.1 Secondary Suites:

Secondary suites are currently permitted by the ALC within the principal residence. After the regulation changes take place on December 31, 2021, these secondary suites will continue to be permitted in the principal residence in addition to a second detached residence located on the property. Under the regulation, a secondary suite is not permitted within the additional residence. It is further noted that the *Maple Ridge Zoning Bylaw No. 7600-2019* does not permit three residential units on a single parcel and instead is limited to one principal residence and either one secondary suite or one secondary, detached residence.

### 3.3 Grandfathering:

Any residence that was lawfully constructed prior to December 31, 2021 may be retained in its size and footprint, including:

- Additional residences for farm help;
- Manufactured home for a family member;
- Additional residences conditionally approved by the ALC;
- Residences which pre-date the ALR and accommodation above an existing structure on a farm.

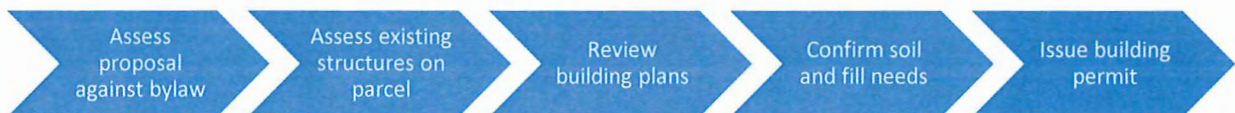
The ALC specifies that should these structures be destroyed by more than 75% of its value above its foundations, there is no right to replacement, meaning that a reconstructed building would need to conform to current regulations.

#### 4) Impacts to Local Government:

Local governments will continue to have autonomy to regulate or restrict residential uses in the ALR based on community need. It is suggested that local governments should continue to consider how an additional residence may have an impact on agriculture and apply the policies set out in the Official Community Plan, the Agricultural Plan, and the values set forth by the ALC for the preservation of farmland. For example, the *Maple Ridge Zoning Bylaw No. 7600-2019* currently limits lands in the ALR to one principal residence and either one secondary suite or a detached garden suite (not both). The new ALC regulations would allow one principal residence and both a secondary suite and a detached garden suite. In this case, the Zoning Bylaw regulations would prevail and the City is not required to amend its Bylaw to allow both. However, should a landowner wish to pursue both the secondary suite and detached garden suite option, in addition to the principal residence (for a total of three residential units), a site-specific text amendment application could be brought before Council for consideration.

The new role for local governments in processing additional residences is generally outlined in the process diagram below:

New Simplified Residential Approval Process for Local Governments:



Local governments will no longer be required to process ALC applications for additional residences, with some exceptions, which will directly impact and eliminate the number of staff reports and Council approvals for housing on ALR properties.

Minor amendments to the *Maple Ridge Zoning Bylaw No. 7600-2019* will be required to align with the identified regulation changes as they relate to the removal of ALC approval requirements. These minor changes will be implemented through the upcoming Zoning Bylaw 'housekeeping' amendments. An example of the minor change is outlined below, under item (i), in reference to the *Maple Ridge Zoning Bylaw No. 7600-2019, Part 4, 401, USES OF LAND, BUILDINGS AND STRUCTURES, 402.11, Detached Garden Suite Residential* (see Appendix C):

#### 6. For Lots located within the Agricultural Land Reserve:

- (i) the Detached Garden Suite Residential Use shall be approved by the Agricultural Land Commission; (to be removed)
- (ii) the Agricultural Land Commission Act and its Regulations shall prevail;
- (iii) the Detached Garden Suite Residential Use shall comply with the Farm Home Plate requirements. Refer to Section 402 (Farm Home Plate) of this Bylaw.

It is noted that all other applicable references to the requirement of ALC approval will also be removed from the *Maple Ridge Zoning Bylaw No. 7600-2019* as part of the Zoning Bylaw housekeeping amendments; however, the reference to '*the Agricultural Land Commission Act and its Regulations shall prevail*' (item ii, above), will remain in place.

**5) Agricultural Impact:**

The ALC emphasizes that the primary use of ALR land is and will continue to be for agriculture. It is further outlined that any residential use should be developed in a way that minimizes disturbance to agriculture. Some suggestions for local governments, regarding secondary residences, have been provided by the ALC, including:

- Tie the additional residence to a farm-use (farm status requirement or farm labour only);
- Shared driveway with principal residence;
- Permit in specific zones or areas only;
- Require site specific rezoning;
- Limit to a minimum lot size;
- Prohibit or restrict size (less than the permitted 90 m<sup>2</sup>); and
- Regulate housing form.

Farm home plate regulations currently outlined in the *Maple Ridge Zoning Bylaw No. 7600-2019* will continue to apply to any residential use on lands within the ALR.

**6) Interdepartmental Implications:**

Reducing the ALC application requirements will reduce the need for inter-departmental review, except where other City regulations are triggered (such as servicing requirements and/or Development Permit requirements).

**7) Intergovernmental Issues:**

The ALC has stated they are continuing to work through some of the scenarios associated with the changes to housing flexibility and that further information will be available prior to the new regulation changes coming into effect on December 31, 2021. City staff will continue to monitor any additional information that is received.

**8) Citizen/Customer Implications:**

A number of benefits are proposed for landowners regarding the Ministry's regulation changes. Landowners will be permitted to provide an additional residence on their property, under certain criteria, without the requirement of an ALC application and subsequent approval. This translates into savings on fees, a reduction in processing time for the landowner, as well as the option to provide additional housing on the property in the form of a detached garden suite, a mobile home, or a suite above a one-storey building. The landowner will also have the ability to rent the secondary residence to a non-family member or for a non-farm use. The rationale behind the decision stems from public consultation and voiced concerns about the lack of housing options in the ALR. The intention of the regulatory change is to assist in farming needs and to help encourage more agricultural land to go into production, which further increases food security within the Province.

**CONCLUSION:**

This summary on the changes to the ALC regulations is presented for Council's information. As noted within the report, the ALC regulation changes will be implemented on December 31, 2021 and is recognized as a benefit to landowners in the ALR by increasing residential flexibility. The minor changes to the *Maple Ridge Zoning Bylaw No. 7600-2019*, as a result of the ALC regulation changes, will be implemented through the upcoming Zoning Bylaw housekeeping amendments.

"Original signed by Adam Rieu"

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Prepared by: **Adam Rieu**  
**Planner**

"Original signed by Charles Goddard"

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Reviewed by: **Charles R. Goddard, BA, MA**  
**Director of Planning**

"Original signed by Christine Carter"

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Approved by: **Christine Carter, M.PL, MCIP, RPP**  
**GM Planning & Development Services**

"Original signed by Christine Carter" for

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Concurrence: **Al Horsman**  
**Chief Administrative Officer**

The following appendices are attached hereto:

- Appendix A – Ministry of Agriculture Policy Intentions Paper: Residential Flexibility in the ALR
- Appendix B – Amendment to the *Agricultural Land Commission Act*, Order in Council No. 438
- Appendix C – Detached Garden Suite Section in the *Maple Ridge Zoning Bylaw No. 7600-2019*



## Ministry of Agriculture Policy Intentions Paper: Residential Flexibility in the ALR

2020

January 27, 2020

### **Introduction**

This paper outlines the Ministry of Agriculture's (the Ministry) proposed policy direction to increase residential flexibility in the Agricultural Land Reserve (ALR).

The intentions summarized here have been developed through collaborative work with the Union of BC Municipalities, the Agricultural Land Commission (ALC) and the BC Agriculture Council and are responsive to what the Ministry heard during recent public consultations.<sup>1</sup>

The Ministry is publicly sharing this proposed policy direction now in order to ensure those interested have an opportunity to review. As always, input from the public and from stakeholders is appreciated.

### **Context**

In February 2019, the province brought into force amendments to the *Agricultural Land Commission Act* (Act) to better protect ALR land for farming. There were three key changes that:

- Directly address mega-mansions and speculation in the ALR by limiting the size of primary residences and empowering the ALC to approve additional residences for farm use;
- Restrict the removal of soil and increased penalties for dumping of construction debris and other harmful fill in the ALR; and,
- Reunify the ALR as a single zone, ensuring consistent rules with strong protections for all provincial ALR land.

The first change noted above included a phase-out of a long-standing previous rule that had allowed ALR landowners to place a small secondary residence in the ALR without ALC approval, so long as it was a manufactured home for immediate family members.

In response to some public concerns about this phase-out change, in July 2019, the Ministry delayed its implementation to February 22, 2020. This grandfathering period has now been extended a second time to December 31, 2020, in order to allow time for the possible implementation of the policy direction outlined in the paper.

During the September to November 2019 engagement, the Ministry heard a key theme: more flexibility is needed for residences in the ALR. Therefore, this work has been given priority.

The rationale for more residential flexibility is argued in a number of ways. For example, it may be necessary to keep a loved one, especially an aging parent, on the property. It creates options for jointly owning a property (for farming or not). It can provide a residence for a farmer transitioning out of farming, or for a young or new person transitioning into farming. It can create efficiency for small-scale farmers as it could allow for farmer or farm-worker accommodation, without the need to apply to the ALC. Or it could be simply needed as a source of rental revenue (that may or may not be invested back into a farm).

### **Current and previous legal framework relating to secondary residences**

Recent changes to the Act and regulations modified approval processes for residential uses. Under the previous law, local governments (LG) had the authority to approve all principal residences (up to any size

<sup>1</sup> See <https://engage.gov.bc.ca/supportingfarmers/> for more information on the Supporting BC Farmers public engagement.

as stipulated in bylaws) in the ALR, and LG had the authority to approve additional residences if they were necessary for farm use. In practice, if a LG did not want to approve, or was not sure if the additional residence was necessary for farm use, or it wasn't for farm use, the owner then applied to the ALC through a non-farm use application.

The Act and regulations additionally permitted the following dwelling types without a decision from the ALC if local bylaws allowed them to be constructed:

- Zone 1: one secondary suite in the single family dwelling, and either one manufactured home 9 meters wide for immediate family; OR, an accommodation constructed above an existing building on the farm and that has only a single level.
- Zone 2: one secondary suite in the single family dwelling, and either one manufactured home (as above); OR, an accommodation constructed above an existing building on the farm and that has only a single level; and, if parcel is greater than 50 hectares a residence that fits all residential needs into an area of 4,000m<sup>2</sup>.

After the recent amendments, a LG can only approve a principal residence if the total floor area is less than 500m<sup>2</sup> (5,400ft<sup>2</sup>) but may also restrict the principal residence to a smaller size by bylaw. A suite within a principal residence's total floor area is still permitted if a LG permits it by bylaw. A principal residence larger than 500m<sup>2</sup> (5,400ft<sup>2</sup>) or an additional residence now requires application to the ALC. The ALC may not approve an additional residence unless it is necessary for farm use.

### **Considerations**

The policy work outlined below will maintain the purpose of the Act and its regulations, is also guided by the results of the Minister of Agriculture's Advisory Committee on ALR Revitalization<sup>2</sup> (the Committee), including the core ALR policy objectives that came out of the Committee's work to:

- Preserve the productive capacity of ALR land.
- Encourage agriculture as the priority use of ALR land.
- Strengthen ALR and ALC administration and governance to increase public confidence and ensure land use regulation and land use decisions preserve agricultural land and encourage farming and ranching in the ALR.

The Ministry will also consider how to incorporate views on residential flexibility that were raised through recent engagement, such as:

- Many participants expressed a desire to allow for a small second residence for all ALR land owners without requiring ALC approval;
- Some ALR landowners felt uncertain over their ability to replace a structure if it is destroyed (75% or more), or needs to be replaced because it is in disrepair;
- Some retiring and new farmers felt disadvantaged because they can't provide a secondary residence for family/workers without approval from the ALC;
- Participants generally wanted to ensure that the needs of LG, First Nation governments and regional districts are considered in the development of any future policy changes;
- It was recognized that some regional districts do not have zoning bylaws and there is a need to consider what this might mean against any policy options; and,

<sup>2</sup> See <https://engage.gov.bc.ca/agriculturalallandreserve/> for more information on the independent committee's work.



- BC ALR regions have different residential land uses, including the size of properties, population densities, and pressures to use ALR for non-farm uses.

These and potentially other considerations that were brought forward from the Committee's work and the Supporting BC Farmers engagement will help guide the Ministry in its work to increase residential flexibility in the ALR.

### **Proposed policy direction**

In order to support farmers and non-farmers living in the ALR, the Ministry is considering a change to regulations that will enable landowners in the ALR to have both a principal residence and a small secondary residence on their property, provided they have approval from their LG. In other words, there would be no required application to the ALC. Further, the province would not impose restrictions to require this secondary residence be a manufactured home, or be for an immediate family member, or be part of a farming plan.

Farmers have always had the option to build additional residences in the ALR (two, three or more), provided they are needed for farming and have approval from LG and the ALC. The ALC routinely provides this approval for farming purposes.

The primary use of ALR land is, and will continue to be, for agriculture. Residential uses should be developed in a way that minimizes disturbance to agriculture. New secondary residences should be registered with the ALC for long-term land-use planning purposes.

This direction does not include reconsideration of the maximum size of a principal residence; nor changing the ALC as the decision maker for additional residences for farm use.

In terms of defining a "small secondary residence", consideration will be given to:

- a manufactured secondary home with conditions such as whether:
  - the foundation type should be limited to a concrete slab and no basement;
  - it can be restricted to a maximum of 9 meters in width and 22.86 meters in length; and
  - it can be restricted to the Canadian Standards Association (CSA) Z240 Manufactured Home (MH) series.
- a garden suite, guest house or carriage suite (e.g. usually meaning a detached dwelling, often no larger than 90m<sup>2</sup>).
- accommodation above an existing building on a farm with conditions on what type of existing structure it could be built on and whether it can be located on a parcel that already has a suite in the principal residence.
- permitting a principal residence to be constructed in addition to a manufactured home that was placed as the first principal residence.

Any of these concepts may also consider:

- per parcel, the maximum number of residences, maximum size, siting, and total floor area.
- how to preserve a total cumulative floor area of residential uses on a single parcel (e.g. additional dwellings that may be reintroduced so as not to exceed 500m<sup>2</sup> when added to principal dwelling).
- options to minimize impact on agriculture.



**Next steps**

Nothing in this paper should be considered as a final decision; it should be viewed as a policy direction and development guidance document. Its purpose is to inform interested parties and to assist Ministry discussions in further developing and finalizing the policy ideas presented in this document.

*This Intentions Paper and links to current legislation are posted on the BC Government website and can be accessed via the following link: <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/agricultural-land-reserve/the-agricultural-land-reserve>*

The Ministry has created a technical review committee that includes the Ministry of Agriculture, ALC, Ministry of Municipal Affairs and Housing, Union of BC Municipalities, and the BC Agriculture Council. As part of the technical review committee process, the Ministry also works directly with local governments from across British Columbia. The Ministry will work through this technical review committee process on the further refinement of these options until April 17<sup>th</sup>, 2020, in preparation for potential recommendations to government.

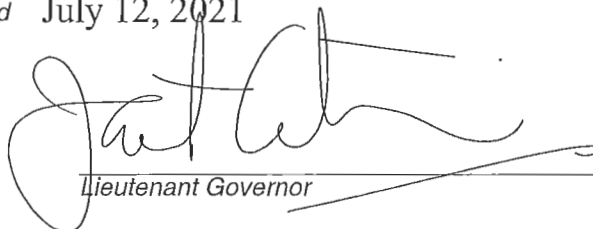
Individuals or associations who would like more *information on this process, or who want to provide feedback for policy consideration*, should contact [ALR\\_ALCRevitalization@gov.bc.ca](mailto:ALR_ALCRevitalization@gov.bc.ca), write the Minister of Agriculture at PO Box 9043 Victoria BC V8W 9E2, or call the AgriServiceBC line at 1 888 221-7141.

## PROVINCE OF BRITISH COLUMBIA

## ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 438

, Approved and Ordered July 12, 2021


  
 Lieutenant Governor

## Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 31, 2021, the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended as set out in the attached Schedule.



Minister of Agriculture, Food and Fisheries



Presiding Member of the Executive Council

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 (This part is for administrative purposes only and is not part of the Order.)

## Authority under which Order is made:

Act and section: *Agriculture Land Commission Act*, S.B.C. 2002, c. 36, ss. 58 (2) and 58.6 (3)

Other: OIC 67/2019

R10499003

## SCHEDULE

- 1 *The Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended by adding the following heading to Part 4 before section 28:*

### **Division 1 – Residential Uses Generally .**

- 2 *Section 28 is amended by striking out “section 32 [additional residences]” and substituting “Division 2 [Additional Residences]”.*
- 3 *Section 32 is repealed.*
- 4 *The following Division is added to Part 4:*

### **Division 2 – Additional Residences**

#### **Pre-existing residential structures constructed before February 22, 2019**

- 34.1 (1) The use of agricultural land for an additional residence that is a pre-existing residential structure is permitted if
- (a) the residence is constructed in accordance with all applicable enactments, and
  - (b) on February 22, 2019, the size, siting and use of the residence complied with section 3 (1) (b) (ii) or (b.1) (ii) or (iii) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, as it read on February 21, 2019.
- (2) The size and siting of a residence permitted under this section must not be altered unless one of the following applies:
- (a) the alteration is permitted under section 25 or 45 of the Act;
  - (b) in the case of a manufactured home, the alteration does not increase the size of the manufactured home;
  - (c) in the case of residence that is not a manufactured home, the alteration does not increase the total area occupied by all residences and other residential structures, roads and service lines, and all agricultural land between them.

#### **Manufactured homes constructed between July 4, 2019 and December 31, 2021**

- 34.2 (1) The use of agricultural land for an additional residence that is a manufactured home and that is not a pre-existing residential structure is permitted if
- (a) the residence is constructed in accordance with all applicable enactments, and
  - (b) on December 31, 2021, all conditions with respect to the residence imposed under section 32 (3), as it read on December 30, 2021, were met.
- (2) The size and siting of a residence permitted under this section must not be altered unless permitted under section 25 or 45 of the Act.

**Additional residences constructed after December 30, 2021**

- 34.3** (1) The use of agricultural land for an additional residence for which construction begins after December 30, 2021 is permitted on a parcel if all of the following conditions are met:
- (a) at the time that construction begins, the parcel has located on it only one residence, whether or not a secondary suite is located in the residence as permitted under section 31;
  - (b) neither residence will be attached to, nor be part of, the other residence;
  - (c) one of the following applies to the residences, as constructed:
    - (i) if the parcel is 40 ha or less, there will be
      - (A) one residence, the total floor area of which is 500 m<sup>2</sup> or less, and
      - (B) one residence, the total floor area of which is 90 m<sup>2</sup> or less;
    - (ii) if the parcel is more than 40 ha, there will be
      - (A) one residence, the total floor area of which is any size permitted under the Act, and
      - (B) one residence, the total floor area of which is 186 m<sup>2</sup> or less.
- (2) The size of a residence permitted under this section must not be altered unless one of the following applies:
- (a) the alteration is permitted under section 25 or 45 of the Act;
  - (b) the alteration does not increase the size of the residence beyond the size permitted under subsection (1) (c).
- (3) Nothing in this section prevents the granting of permission, under section 25 or 45 of the Act, for additional residences to be constructed after the additional residence permitted under this section.

C-2	Apartment	One (1) additional <u>Storey</u>	\$161.46 per square metres (\$15.00 per square foot)
C-3	Apartment	0.5 times the <u>Lot Area</u>	\$161.46 per square metres (\$15.00 per square foot)

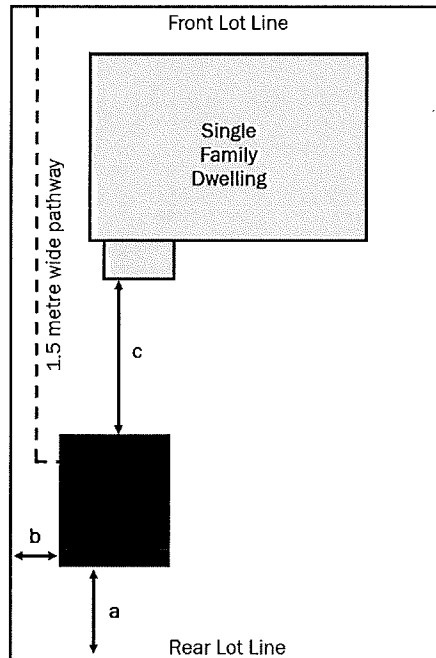
## 402.11 Detached Garden Suite Residential

1. Detached Garden Suite Residential Use:
  - a. shall be limited to one Detached Garden Suite Residential Use per Residential or Agricultural Zoned Lot where there exists a Single Detached Residential Use;
  - b. shall be located within the Rear Yard of a Principal Single Detached Residential Use, except:
    - (i) shall be located within the Front Yard specific to the following Lot:
      - (a) Lot B, Section 28, Township 12, New Westminster District Plan 6734. PID: 004-537-076. 23525 Dogwood Avenue;
  - c. shall be limited to one Storey;
  - d. shall not have a Basement; and
  - e. shall not be strata-titled or subdivided.
2. Lot Area for a Detached Garden Suite Residential Use:
  - a. shall not be permitted on a Lot with a Lot Area less than 557.0 square metres;
  - b. for Lots with a Lot Area less than 0.4 hectares:
    - (i) shall be located on the First Storey of a one Storey Building; or
    - (ii) for Lots with Lane access, shall be located on the second Storey of a Building above an Accessory Residential Use or an Off-Street Parking Use;
  - c. for Lots with a Lot Area greater than or equal to 0.4 hectares:
    - (i) shall be located on the First Storey of a one Storey Building; or
    - (ii) shall be located on the second Storey of a Building above an Accessory Residential Use or an Off-Street Parking Use;
3. Gross Floor Area for a Detached Garden Suite Residential Use:
  - a. shall have a Gross Floor Area of:
    - (i) not less than 37.0 square metres, and not more than 90.0 square metres or 10% of the Lot Area, whichever is less; except
    - (ii) the Gross Floor Area shall not exceed 140.0 square metres specific to the following Lots:
      - (a) Lot 34, except: part subdivided by Plan BCP13892, Section 24, Township 12, New Westminster District Plan LMP19841. PID: 019-045-824. 26378 126 Avenue, and
      - (b) Lot B, Section 28, Township 12, New Westminster District Plan 6734. PID: 004-537-076. 23525 Dogwood Avenue.
4. Building Height for a Building with a Detached Garden Suite Residential Use:

- a. for Lots with a Lot Area less than 0.4 hectares Building Height:
    - (i) shall not exceed 4.5 metres and one (1) Storey; or
    - (ii) shall not exceed 6.0 metres and one (1) Storey for lots Zoned RS-2 and RS-3; or
    - (iii) shall not exceed 6.0 metres for Lots with Lane access and the Detached Garden Suite Residential Use shall be located on the second Storey above an Accessory Residential Use or an Off-Street Parking Use;
  - b. for Lots with a Lot Area greater than or equal to 0.4 hectares Building Height:
    - (i) shall not exceed 6.0 metres and one (1) Storey; or
    - (ii) shall not exceed 7.5 metres for Agricultural Zoned Lots when the Detached Garden Suite Residential Use is located on the second Storey above an Accessory Residential Use or an Off-Street Parking Use;
  - c. Building Height shall not exceed 7.5 metres specific to the following Lot:
    - (i) Lot 34, except: part subdivided by Plan BCP13892, Section 24, Township 12, New Westminster District Plan LMP19841. PID: 019-045-824. 26378 126 Avenue.
5. Setbacks for a Detached Garden Suite Residential Use:
- a. from a Rear Lot Line:
    - (i) shall be Setback not less than 2.4 metres; or
    - (ii) shall be Setback not less than 1.5 metres for Lots with Lane access and where the Detached Garden Suite Residential Use is located on the second Storey above an Accessory Residential Use or an Off-Street Parking Use; or
    - (iii) shall be Setback not less than 7.5 metres from a Rear Lot Line for Agricultural Zoned Lots and RS-3 Zoned Lots;
  - b. from an Interior Side Lot Line shall be Setback not less than 1.5 metres;
  - c. from an Exterior Side Lot Line shall be Setback not less than 3.0 metres; and
  - d. from the nearest projection beyond the Building Face of the Single Detached Residential Use shall be Setback not less than 2.4 metres.

Detached Garden Suite:

STREET



Detached Garden Suite

a = setback to rear lot line

b = setback to side lot line

c = setback to nearest projection of single family dwelling

6. For Lots located within the Agricultural Land Reserve:
  - (i) the Detached Garden Suite Residential Use shall be approved by the Agricultural Land Commission;
  - (ii) the Agricultural Land Commission Act and its Regulations shall prevail;
  - (iii) the Detached Garden Suite Residential Use shall comply with the Farm Home Plate requirements. Refer to Section 402 (Farm Home Plate) of this Bylaw.
7. Off-Street Parking for a Detached Garden Suite Residential Use:
  - a. shall provide one (1) Off-Street Parking space dedicated to the Detached Garden Suite Residential Use.
8. A Detached Garden Suite Residential Use is subject to the following provisions:
  - a. shall provide an unobstructed pathway a minimum of 1.5 metres in width between the Front Lot Line and the Detached Garden Suite Residential Use;
  - b. shall provide Private Outdoor Area of not less than 25% of the Gross Floor Area of the Detached Garden Suite Residential or 10% of the total Lot Area, whichever is less. The Private Outdoor Area shall be exclusively devoted to the Detached Garden Suite Residential Use;



- c. *shall* require that the registered owner of the Lot enters into a Housing Agreement with the City of Maple Ridge and that a Section 219 Restrictive Covenant in favour of the City of Maple Ridge be registered at the Land Title Office prior to the issuance of a Building Permit for the Detached Garden Suite Residential Use. The Section 219 Restrictive Covenant *shall* require that either the Single Detached Residential Use or the Detached Garden Suite Residential Use be occupied by the registered owner;
- d. *shall* require that a Section 219 Restrictive Covenant in favour of the City of Maple Ridge be registered at the Land Title Office prior to issuance of a Building Permit for protection of the Off-Street Parking requirements for the Detached Garden Suite Residential;
- e. *shall* not be permitted where there is an Agricultural Employee Residential, Bed and Breakfast, Boarding, Caretaker Residential, Secondary Suite Residential, Temporary Residential, Tourist Accommodation, or Two-Unit Residential Use on the same Lot;
- f. *shall* provide written verification to the Building Official of notification to the applicable Fraser Health Authority if located on a Lot which is not serviced by the Community Sanitary Sewer System;
- g. *shall* provide written verification from a Professional Engineer or a Certified Professional confirming adequate water quantity and potability, if located on a Lot that is not serviced by the Community Water System; and
- h. *shall* not be permitted on a Lot situated within a Floodplain Area unless the underside of the finished floor system of the Detached Garden Suite Residential Use is above the established minimum Flood Construction Level.

## 402.12 Farm Home Plate

1. For Lots within the Agricultural Land Reserve, the following limitations to Residential Development shall apply:
  - a. the area of the Farm Home Plate shall not exceed a maximum contiguous area of 0.2 hectares;
  - b. the maximum depth of the Farm Home Plate shall not exceed 60.0 metres measured from the Front Lot Line to a line parallel to the Front Lot Line;
  - c. all Principal and Accessory Residential Buildings and Structures shall be sited within the Farm Home Plate;
  - d. the total floor area of the Principal Single Detached Residential Building shall not exceed 500.0 square metres, excluding a maximum of 42.0 square metres for attached garage and/or carport;
  - e. the maximum distance from the Front Lot Line to any portion of the Single Detached Residential Building shall not exceed 50.0 metres; and
  - f. provisions of the Agricultural Land Commission Act and its Regulations shall prevail.