

MAPLE RIDGE

British Columbia

City of Maple Ridge

PUBLIC HEARING

March 23, 2021

PUBLIC HEARING AGENDA March 23, 2021 7:00 pm Virtual Online Meeting including Council Chambers

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.

For virtual public participation register by going to <u>www.mapleridge.ca/640/Council-Meetings</u> and clicking on the meeting date.

Note: This Agenda is also posted on the City's Website at <u>www.mapleridge.ca/AgendaCenter</u> (see: Public Hearing)

1) 2014-070-RZ

10470 245B Street and 24589 104 Avenue

Lot 9 Section 10 and 11 Township 12 New Westminster District Plan 72100 Lot 10 Section 10 and 11 Township 12 New Westminster District Plan 72100

Maple Ridge Official Community Plan Amending Bylaw 7156-2015

To adjust the area designated Conservation around the watercourse.

Maple Ridge Zone Amending Bylaw 7157-2015

To rezone from RS-2 (Single Detached Suburban Residential) to RS-1b (Single Detached (Medium Density) Residential).

The current application is to adjust the area designated Conservation around the watercourse as well as permit a future subdivision of 11 lots and 0.277ha (0.68 acres) of dedicated parkland.

2) 2019-409-RZ

12471 223 Street

Lot 39 District Lot 400 Group 1 New Westminster District Plan 30974

Maple Ridge Zone Amending Bylaw 7613-2020

To rezone from RS-1 (Single Detached Residential) to R-4 (Single Detached (Infill) Urban Residential).

The current application is to permit the future subdivision of 2 lots.

3) 2018-182-RZ

11040 Cameron Court

Lot 34 Section 10 Township 12 New Westminster District Plan 66748

Maple Ridge Zone Amending Bylaw 7562-2019

To rezone from RS-2 (Single Detached Suburban Residential) to RS-1d (Single Detached (Half Acre) Residential).

The current application is to permit the future subdivision of 6 lots utilizing density bonus provisions in the Zoning Bylaw.

4) 2018-190-RZ

23627 132 Avenue

Lot 20 Section 28 Township 12 New Westminster District Plan 47603

Maple Ridge Zone Amending Bylaw 7470-2018

To rezone from RS-2 (Single Detached Suburban Residential) to RM-1 (Low Density Townhouse Residential).

The current application is to permit the future construction of a 23 unit residential townhouse development.

5) 2020-031-RZ

Maple Ridge Zone Amending Bylaw 7629-2020 To define and prohibit vape retail.

The current application is to define and prohibit vape retail within the City of Maple Ridge.

6) 2021-032-AL

(Golden Ears Way) Plan NWP63218, District Lot 280 Group 1 New Westminster Land District DEDICATED PARK & 63221

To exclude an 8.5 hectare (21 acre) parcel from the Agricultural Land Reserve.

The current application is to exclude the subject parcel from the Agricultural Land Reserve to allow for a Metro Vancouver sewer main included within plans for regional growth management and sewer servicing.

CITY OF MAPLE RIDGE

NOTICE OF VIRTUAL ONLINE PUBLIC HEARING

TAKE NOTICE THAT A PUBLIC HEARING is scheduled for Tuesday, March 23, 2021 at 7:00 p.m. This meeting is an online virtual meeting only, to be hosted in Council Chambers at City Hall, 11995 Haney Place, Maple Ridge.

For virtual online participation, access the link at: <u>www.mapleridge.ca/640/Council-Meetings</u> and click on the meeting date to register.

For viewing only, access the link at <u>http://media.mapleridge.ca/Mediasite/Showcase</u> and click on the March 23, 2021 Public Hearing presentation video;

The Public Hearing Agenda and full reports are posted on the City's Website at <u>www.mapleridge.ca/AgendaCenter</u> (see: Public Hearing).

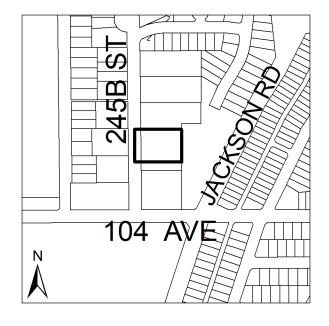
This Public Hearing is held in order to consider the following bylaws:

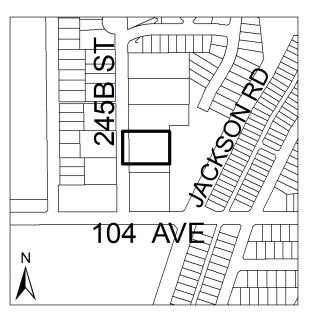
1a) 2014-070-RZ

10470 245B Street and 24589 104 Avenue Lot 9 Section 10 and 11 Township 12 New Westminster District Plan 72100 Lot 10 Section 10 and 11 Township 12 New Westminster District Plan 72100



Maple Ridge Official Community Plan Amending Bylaw 7156-2015 To adjust the area designated Conservation around the watercourse.





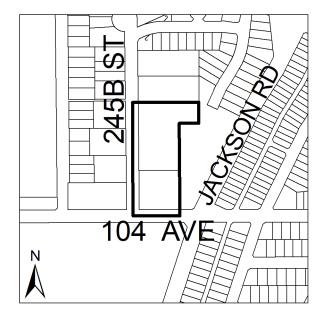
Map No. 907



1b) Maple Ridge Zone Amending Bylaw 7157-2015

To rezone from RS-2 (Single Detached Suburban Residential) to RS-1b (Single Detached (Medium Density) Residential).

The current application is to adjust the area designated Conservation around the watercourse as well as permit a future subdivision of 11 lots and 0.277ha (0.68 acres) of dedicated parkland.



2) 2019-409-RZ

12471 223 Street

Lot 39 District Lot 400 Group 1 New Westminster District Plan 30974



Maple Ridge Zone Amending Bylaw 7613-2020

To rezone from RS-1 (Single Detached Residential) to R-4 (Single Detached (Infill) Urban Residential).

The current application is to permit the future subdivision of 2 lots.



3) 2018-182-RZ

11040 Cameron Court

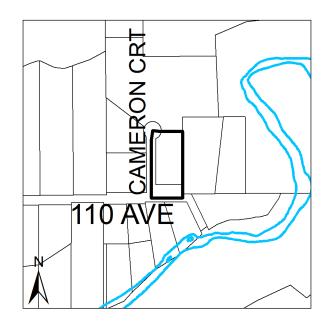
Lot 34 Section 10 Township 12 New Westminster District Plan 66748



Maple Ridge Zone Amending Bylaw 7562-2019

To rezone from RS-2 (Single Detached Suburban Residential) to RS-1d (Single Detached (Half Acre) Residential).

The current application is to permit the future subdivision of 6 lots utilizing density bonus provisions in the Zoning Bylaw.



4) 2018-190-RZ

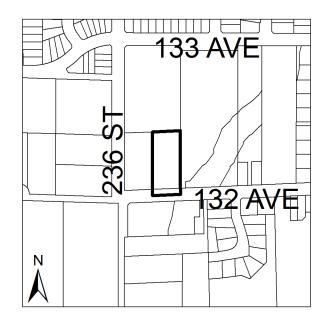
23627 132 Avenue

Lot 20 Section 28 Township 12 New Westminster District Plan 47603



Maple Ridge Zone Amending Bylaw 7470-2018 To rezone from RS-2 (Single Detached Suburban Residential) to RM-1 (Low Density Townhouse Residential).

The current application is to permit the future construction of a 23 unit residential townhouse development.



5) 2020-031-RZ

Maple Ridge Zone Amending Bylaw 7629-2020 To define and prohibit vape retail.

The current application is to define and prohibit vape retail within the City of Maple Ridge.

 6) 2021-032-AL
 (Golden Ears Way) Plan NWP63218, District Lot 280 Group 1 New Westminster Land District DEDICATED PARK & 63221

To exclude an 8.5 hectare (21 acre) parcel from the Agricultural Land Reserve.

The current application is to exclude the subject parcel from the Agricultural Land Reserve to allow for a Metro Vancouver sewer main included within plans for regional growth management and sewer servicing.



AND FURTHER TAKE NOTICE that a copy of the aforesaid bylaws and copies of staff reports and other information considered by Council to be relevant to the matters contained in the bylaws are available for viewing on the City's Land Development Viewer site at: https://gis.mapleridge.ca/LandDevelopmentViewer/LandDevelopmentViewer.html

During the COVID-19 health emergency it is important to ensure that our democratic processes continue to function and that the work of the City remains transparent for all citizens. As authorized by the current health order, the Public Hearing pertaining to the aforesaid bylaws will be conducted virtually using the links set out below.

ALL PERSONS who believe themselves affected by the above-mentioned bylaws shall be afforded a reasonable opportunity to be heard at the Public Hearing before Council on the matters contained in the bylaws. Please note that all written submissions provided in response to this notice will become part of the public record which includes the submissions being made available for public inspection.

- For virtual online participation, access the link at: www.mapleridge.ca/640/Council-Meetings and click on the meeting date to register. When registering you will be asked to give your name and address, to give Council your proximity to the land that is the subject of the application. We ask that you have your camera on during the Public Hearing;
- For viewing only, access the link at http://media.mapleridge.ca/Mediasite/Showcase and click on the March 23, 2021 Public Hearing presentation video;
- To submit correspondence prior to the Public Hearing, provide written submissions to the Corporate Officer by 12:00 Noon, Tuesday, March 23, 2021 (quoting file number) via drop-box at City Hall or by mail to 11995 Haney Place, Maple Ridge, V2X 6A9; or,
- To email correspondence, forward written submissions to <u>clerks@mapleridge.ca</u> to the attention of the Corporate Officer, by 12:00 Noon, Tuesday, March 23, 2021 (quoting file number).

Dated this 10th day of March, 2021.

Stephanie Nichols Corporate Officer



TO: FROM:	His Worship Mayor Michael Morden and Members of Council Chief Administrative Officer	MEETING DATE: FILE NO: MEETING:	February 2, 2021 2014-070-RZ C o W
SUBJECT:	First and Second Reading Official Community Plan Amending Bylaw Second Reading Zone Amending Bylaw No. 7157-2015; 10470 245B Street and 24589 104 Ave		

EXECUTIVE SUMMARY:

An application has been received to rezone the subject properties, located at 10470 245B Street and 24589 104 Avenue, from RS-2 (Single Detached Suburban Residential) to RS-1b (Single Detached (Medium Density) Residential) to permit a future subdivision of 11 lots and 0.277 ha (0.68 acres) of dedicated parkland. The applicant intends to apply the Density Bonus Amenity Contribution option in addition to the general Community Amenity Contribution (CAC) fees within the RS-1b (Single Detached (Medium Density) Residential) zone, which is specific to the Albion Area, enabling single family residential lot sizes of 371m² or greater.

The required Density Bonus Amenity Contribution fee of \$3,100.00 for each lot with an area less than 557m² is payable prior to Final Reading. The estimated amount for the Density Bonus Amenity Contibution would be \$31,000.00. Pursuant to Council Policy, this application is also subject to the Community Amenity Contribution Program at a rate of \$5,100.00 per lot for an estimated amount of \$51,000.00. Total CAC's would total an estimated \$82,000.00; the lot being dedicated as parkland is exempt.

Council granted First Reading to Zone Amending Bylaw No. 7157-2015 and considered the early consultation requirements for the Official Community Plan (OCP) amendment on June 27, 2017.

The proposed RS-1b (Single Detached (Medium Density) Residential) 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.

To proceed further with this application, additional information is required as outlined below.

RECOMMENDATIONS:

- That, in accordance with Section 475 of the Local Government Act, opportunity for early and ongoing consultation has been provided by way of posting Official Community Plan Amending Bylaw No. 7156-2015 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. 7156-2015 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. 7156-2015 is consistent with the Capital Expenditure Plan and Waste Management Plan;
- 4) That Official Community Plan Amending Bylaw No. 7156-2015 be given First and Second Readings and be forwarded to Public Hearing;
- 5) That Zone Amending Bylaw No. 7157-2015 be given Second Reading, and be forwarded to Public Hearing;
- 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 "A", Chapter 10.2 Albion Area Plan, Schedule 1: Albion Area Plan, and Schedule "C";
 - iii) Road dedication at the intersection of 104 Avenue and 245B Street as required;
 - iv) Park dedication as required and removal of all debris and garbage from park land;
 - v) Consolidation of the subject properties;
 - vi) Registration of a Restrictive Covenant for the protection of the Environmentally Sensitive Areas (wetlands) on the subject properties;
 - vii) Registration of a Restrictive Covenant for 'No-Build' controlling the future subdivision layout and restricting the building areas on lots to facilitate the optimum subdivision design incorporating the lands to the north addressed as 10470 245B Street;
- viii) Registration of a Restrictive Covenant for Stormwater Management;
- ix) Removal of existing buildings;
- 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 properties. If so, a Stage 1 Site Investigation Report is required to ensure that the subject property is not a contaminated site;
- xi) That a contribution, in the amount of \$51,000.00 (\$5,100.00 x 10 lots) be provided in keeping with the Council Policy with regard to Community Amenity Contributions; and
- xii) That a contribution, in the amount of \$31,000.00 (\$3,100.00 x 10 lots) be provided in keeping with Density Bonus Amenity Contribution Fee.

DISCUSSION:

1) Background Context:

Applicant: Paul Hayes Ltd.

Legal Description:	Lot 9, Section 10 and 11, Township 12, New Westminster Plan 7210 Lot 10, Section 10 and 11, Township 12, New Westminster Plan 72100			
OCP: Existing: Proposed:	Low/Medium Density Residential Low/Medium Density Residential, Conservation			
Zoning: Existing: Proposed:	RS-2 (Single Detached Suburban Residential) RS-1b (Single Detached (Medium Density) Residential) with a Density Bonus through the Albion Community Amenity Program			
Surrounding Uses: North:	Use: Zone: Designation:	Single Family Residential RS-1b (Single Detached (Medium Density) Residential) Low/Medium Density Residential		
South:	Use: Zone: Designation:	Albion Park P-1 (Park and School) Park		
East:	Use: Zone: Designation:	Vacant RS-3 (One Family Rural Residential), and RS-2 (Single Detached Suburban Residential) Low/Medium Density Residential		
West:	Use: Zone: Designation:	Single Family Residential RS-1b (Single Detached (Medium Density) Residential) Low/Medium Density Residential		
Existing Use of Property: Proposed Use of Property: Site Area: Access: Servicing:		Single Family (Suburban) Residential Single Family (Urban) Residential 1.2 hectares (2.97 acres) 245B Street Urban Standard		

The subject properties are located on the northeast corner of 104 Avenue and 245B Street (see Appendices A and B), and have a total site area of 1.2 hectares (2.97 acres). The lots have a gradual slope from east to west down towards 245B Street and there are some areas of steep slopes adjacent to the east property line. There are saturated wetland areas, channelized flows and riparian habitats located on the subject properties with water that flows onto this land from the lands to the east (see Appendix B). Stormwater management plans, habitat protection, and restoration plans for this site are being coordinated by the applicant and City staff with development plans for the adjacent property to the east, a former gravel pit, under application 2018-478-SD, for a similar development of RS-1b (Single detached (Medium Density) Residential) zoned lots.

2) Project Description:

The applicant has submitted a proposal to rezone the properties to RS-1b (One Family Urban (Medium Density) Residential) and subdivide the lands into approximately 11 lots and park dedication (see Appendix E). The applicant intends to utilize the Density Bonus Amenity Contribution option within the RS-1b (Single Detached (Medium Density) Residential) zone, which is specific to the Albion Area, enabling single-family lot sizes with a minimum area of $371m^2$ as permitted under the R1 zone as outlined below.

The Density Bonus Amenity Contributions Regulations as outlined in Section 402.8 in *Zoning Bylaw No.* 7600-2019 will permit a base density with a net lot area of 557m² for the RS-1b zone. The Density Bonus option in the RS-1b zone shall be applied as follows:

- Zoning requirements consistent with the R-1 (Single Detached (Low Density) Urban Residential) zone will apply and supersede the zoning requirements for the RS-1b (Single Detached (Medium Density) Residential) zone;
- Amenity Contribution of \$3,100.00 shall be required for each Lot in a subdivision with a minimum Lot Area of less than 557m² but not less than 371m²;
- The maximum density permitted through the Density Bonus option is:
 - Minimum net lot area of 371m²;
 - Minimum lot width of 12m;
 - Minimum lot depth of 24m.

3) Planning Analysis:

i) Official Community Plan:

The subject properties are located within the Albion Area Plan and are currently designated *Low/Medium Density Residential*. The *Low/Medium Density Residential* designation allows for single detached or duplex housing with lot sizes ranging from 891m² to 557m². For the proposed development, an OCP amendment will be required to re-designate a portion of the subject properties to *Conservation* for the protection of watercourses and riparian areas (see Appendix C).

The application is in compliance with the following Albion Area Plan Community Amenity Program policies:

- 10-4: A Density Bonus through the Community Amenity Program will be permitted on lands designated Low Density Residential, Low-Medium Density Residential and Medium Density Residential in the Albion Area Plan.
- 10-5: Where a Density Bonus option is utilized in a single-family subdivision, an Amenity Contribution is to be applied to all of the single-family lots in the subdivision that exceed the base density permitted.
- 10-7: Maple Ridge Council may consider Density Bonuses as part of the development review process for Albion Area Plan amendment applications seeking a land use designation change that would permit a higher density than currently permitted.

10-8: A Density Bonus will only be permitted on those lands that are located entirely within the boundaries of the Albion Area Plan and Urban Area Boundary.

ii) <u>Zoning Bylaw</u>:

The current application proposes to rezone the subject properties from RS-2 (Single Detached Suburban Residential) to RS-1b (Single Detached (Medium Density) Residential) with a Density Bonus to permit a subdivision of approximately 11 lots and 0.277ha (0.68 acres) of dedicated parkland.

The application of the Density Bonus, which is specific to the Albion Area Plan, will permit the applicant to reduce the single-family lot size from the RS-1b (Single Detached (Medium Density) Residential) base density of $557m^2$ to $371m^2$. An Albion Amenity Contribution of \$3,100 per lot for each lot that is less than $557m^2$ is required, as discussed in the Project Description section above.

The original development proposal planned for 16 lots, however, once ground truthing work was completed, the proposal was scaled back to 11 lots and 0.277ha (0.68 acres) of dedicated parkland. Because the application had not received Third Reading prior to December 2020, this application is proceeding under the recently adopted Zoning Bylaw No. 7600-2019. As such, minor adjustments to the original proposed development had to be made and can be seen in the updated proposed subdivision layout (Appendix E).

Any variations from the requirements of the proposed zone will require a Development Variance Permit application.

iii) Off-Street Parking And Loading Bylaw:

As per Schedule 'A' of the 'Off-Street Parking and Loading Bylaw No. 4350-1990", the number of parking spaces required per dwelling unit is two and must meet all of the provisions as outlined within the aforementioned Bylaw.

iv) Advisory Design Panel:

Not required as the proposal is for single family development.

v) <u>Development Information Meeting</u>:

Due to the Covid-19 pandemic and to adhere to Provincial Health Orders, a Public Comment Opportunity was held in lieu of Development Information Meeting between August 21, 2020 and September 1, 2020. Three people submitted comments during this time period. A summary of the main comments and discussions with the attendees was provided by the applicant and include the following main points:

- Request that an additional sidewalk be constructed, including the replacement of existing drainage ditches with proper engineered drainage system (storm water management), along the eastern side of 245B Street;
- Request that neighbouring ditches be filled and grasses planted on the opposite side of the road line;
- Request that a photo/information of
 - what is planned for 245B Street be provided;

- o of what a bioswale is; and
- a bioswale after a few years of being installed

The following are provided in response to the issues raised by the public:

- Construction of a permanent curb, gutter and sidewalk in front of 10530 and 10570 245B St. is a challenge due to the existing ditch which cannot be filled in without environmental considerations. When those properties develop they will be required to complete this work.
- In the interim, Engineer can have the developer improve the existing gravel shoulder across these two properties. This development will be creating redundancy in the road network with the extension of McVeety St to 245B St as well as a connection from McVeety to 106 Ave to the north was recently completed further improving the road network.
- City Engineering sees no justification for the developer to provide additional infrastructure beyond the scope of the proposed development.
- City Planning informed inquirer that bioswale design is determined at the subdivision stage of the application and that bioswales provide bio-filtration opportunities from run-off in developed areas.

vi) Parkland Requirement:

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

For this project, there is sufficient land that is proposed to be dedicated as park, as shown on Appendix E, on the subject properties. This land will be required to be dedicated as a condition of Final Reading.

vii) Development Permits:

Pursuant to Section 8.9 of the OCP, a Watercourse Protection Development Permit application was submitted in 2018 to ensure the preservation, protection, restoration and enhancement of watercourse and riparian areas. This application met the City's requirements and was subsequently approved. No further environmental Development Permits are required as discussed below.

4) Environmental Implications:

This development site is within 50 metres of existing water features which requires a Watercourse Protection Development Permit (WPDP). The majority of the works related to habitat protection were completed to the north when some unpermitted works took place at an earlier date. It has been determined that the works met the City's environmental requirements. A restrictive covenant of protected ESA lands is required as part of this application for the watercourse on the north side of the property. There will also be a 'No-Build' covenant registered on the site to the north of the park dedication (see Appendix F).

An update by the applicant's QEP regarding the status of the watercourses on the site was provided to the City's Environment Staff. Based on the new hydrological patterns, flows, and changes made to the site as part of the previous WPDP, which were approved for the surrounding

site to the east, the remaining portion of ditch along 245B St., south of the protected area no longer meets the definition of a "stream" or "watercourse". The City accepts this recent update from the QEP that there is no longer any stream or watercourse on the current development site that requires additional watercourse protection. Furthermore, this development does not require an additional WPDP since the previous Development Permit addressed the confirmed water features that were reconstructed and relocated on the northern portion of the site.

5) Interdepartmental Implications:

i) <u>Engineering Department:</u>

Proposed development must meet urban standard engineering requirements for street lighting, plantings, roadway materials, servicing infrastructure, roadway widths, etc. All works to comply with the *Watercourse Protection Bylaw*.

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 on September 4, 2019 and comments were received on December 19, 2019 with the following:

"The proposed application would affect the student population for the catchment areas currently served by Cesqenele Elementary, Albion Elementary, and Samuel Robertson Technical Secondary.

Cəsqənelə Elementary has an operating capacity of 611 students. For the 2019-20 school year the student enrolment at Cəsqənelə Elementary is 461 students (75.4% utilization).

Albion Elementary has an operating capacity of 421 students. For the 2019-20 school year the student enrolment at Albion Elementary is 580 students (138.0% utilization).

Samual Robertson Technical Secondary has an operating capacity of 600 students. For the 2019-20 school year the student enrolment at Westview Secondary is 770 students (128.0% utilization) including 277 students from outside of catchment."

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, the *Conservation* designation, 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 Metro 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. 7156-2015, that Second Reading be given to Zone Amending Bylaw No. 7157-2015, and that application 2014-070-RZ be forwarded to Public Hearing.

"Original signed by Tyson Baker"

Prepared by: Tyson Baker, B.Pl. Planning Technician

"Original signed by Chuck Goddard"

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

"Original signed by Christine Carter"

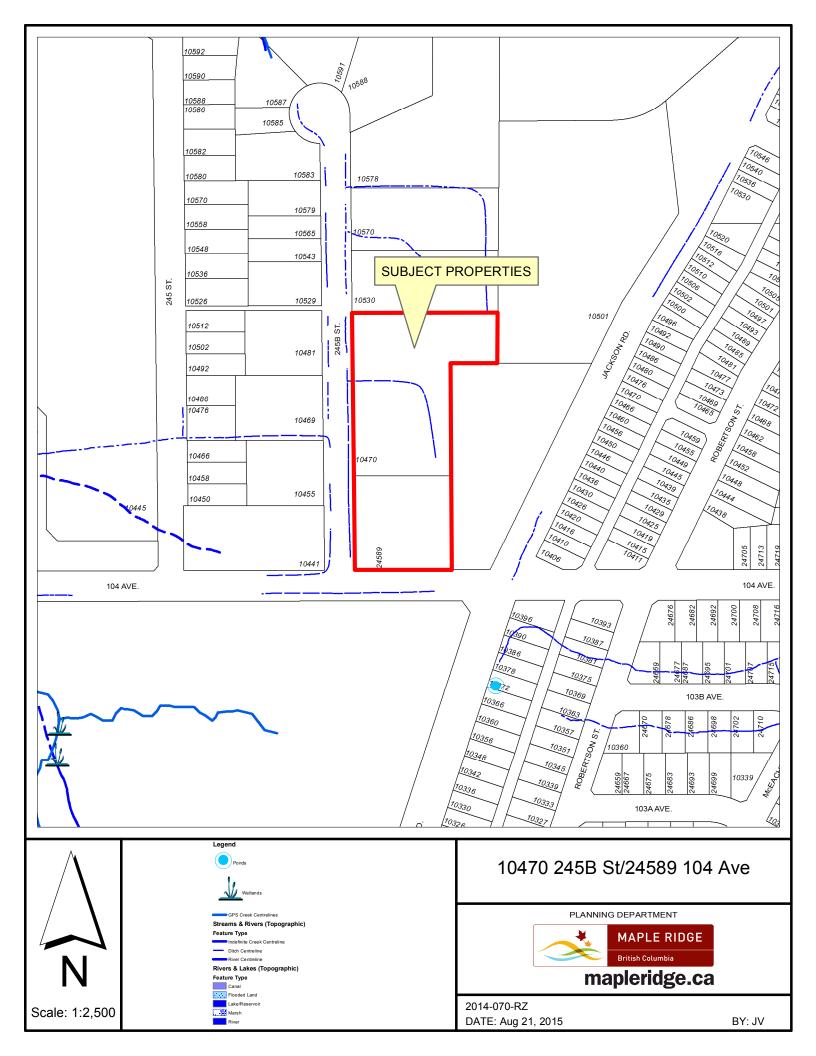
Approved by: Christine Carter, M.PL, MCIP, RPP GM Planning & Development Services

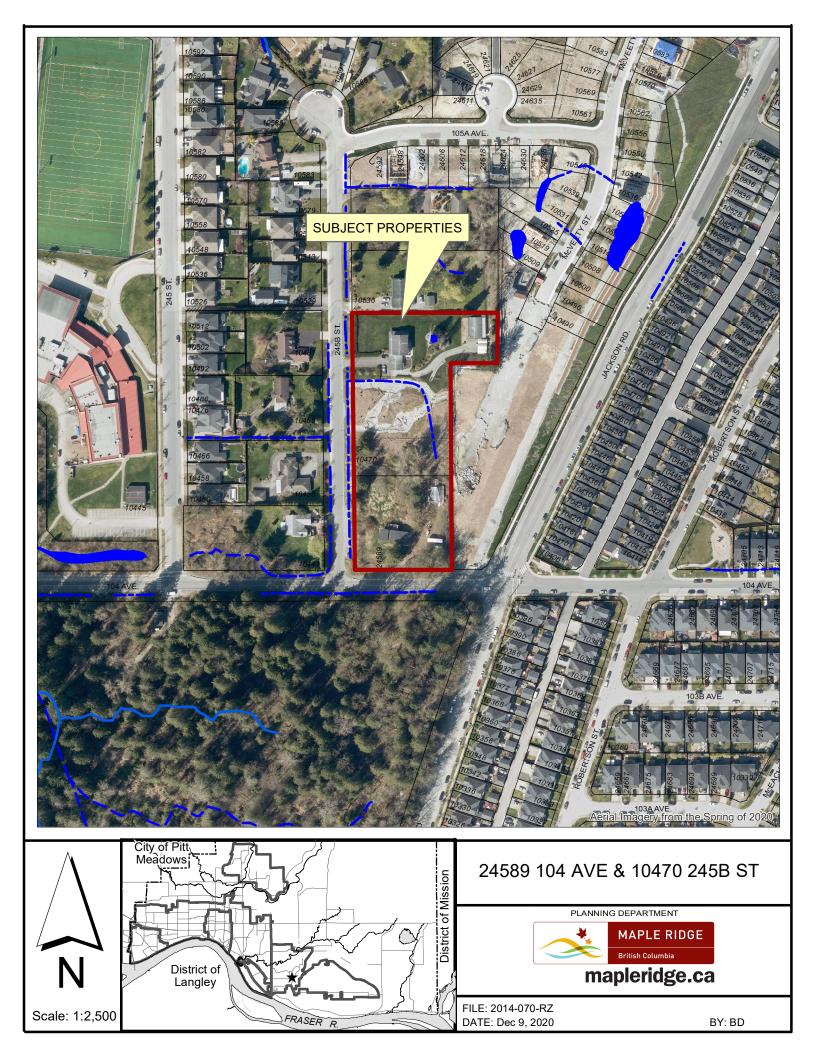
"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

The following appendices are attached hereto:

- Appendix A Subject Map
- Appendix B Ortho Map
- Appendix C OCP Amending Bylaw No. 7156-2015
- Appendix D Zone Amending Bylaw No. 7157-2015
- Appendix E Subdivision Plan
- Appendix F Plan showing Park Dedication, ESA Covenant and No-Build Covenant Plan





CITY OF MAPLE RIDGE BYLAW NO. 7156-2015

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

WHEREAS Section 882 of the *Local Government Act* provides that Council may revise the Official Community Plan;

AND WHEREAS it is deemed expedient to amend Schedules "A" & "C" 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. 7156-2015".
- 2. Schedule "A", Chapter 10.2 Albion Area Plan, Schedule 1: Albion Area Plan is hereby amended for that parcel or tract of land and premises known and described as:

Lot 9 Section 10 and 11 Township 12 New Westminster District Plan 72100 Lot 10 Section 10 and 11 Township 12 New Westminster District Plan 72100

and outlined in heavy black line on Map No. 907, a copy of which is attached hereto and forms part of this Bylaw, is hereby designated as shown.

3. Schedule "C" is hereby amended for that parcel or tract of land and premises known and described as:

Lot 9 Section 10 and 11 Township 12 New Westminster District Plan 72100 Lot 10 Section 10 and 11 Township 12 New Westminster District Plan 72100

and outlined in heavy black line on Map No. 912, a copy of which is attached hereto and forms part of this Bylaw, is hereby amended by adding Conservation.

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

READ a first time the 9th day of February, 2021.

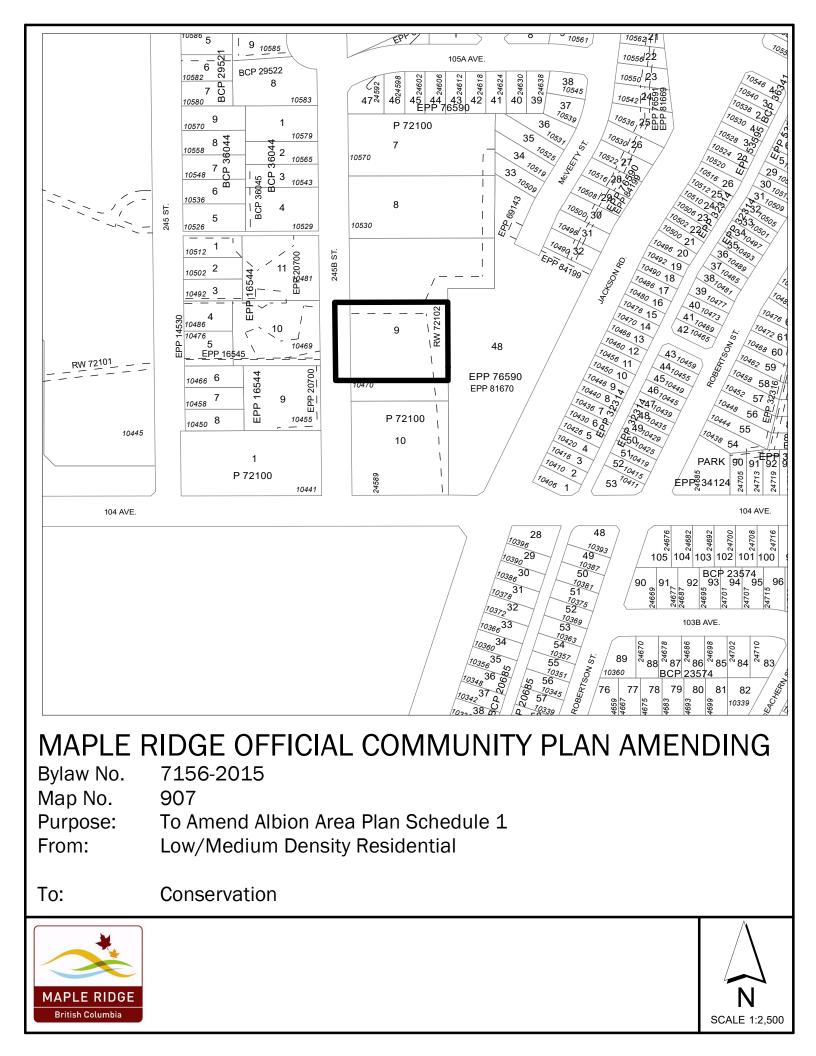
READ a second time the 9th day of February, 2021.

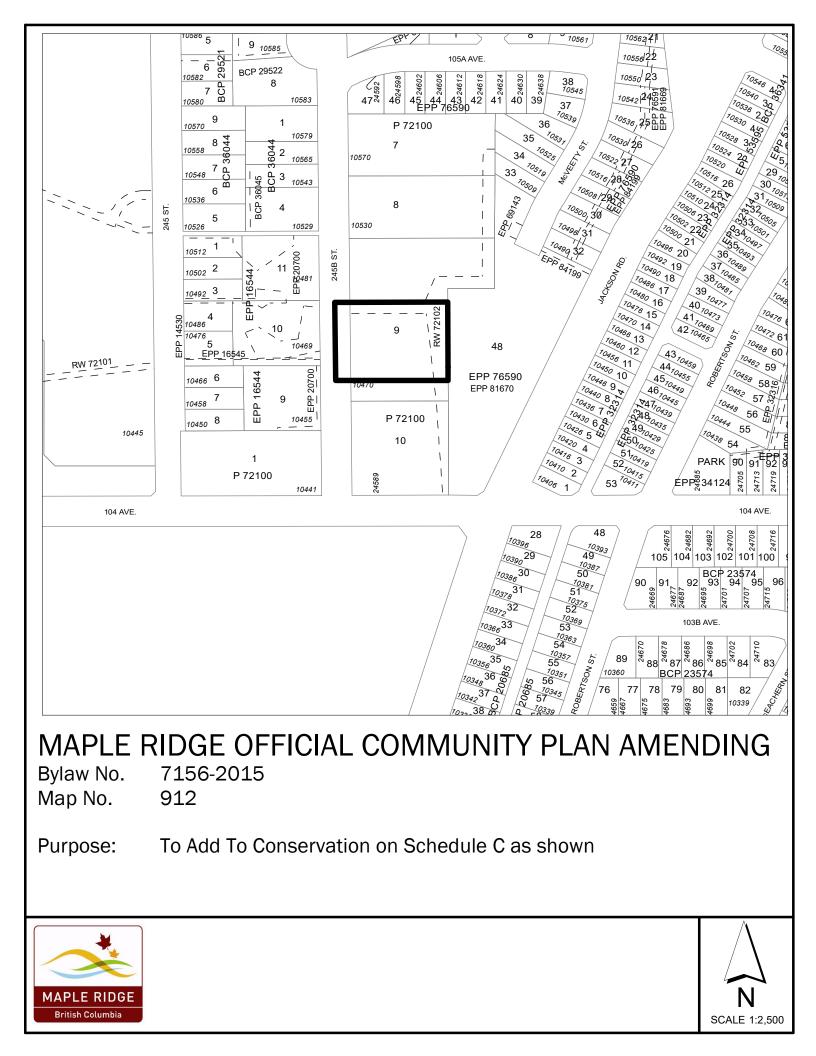
PUBLIC HEARING HELD the day of , 20.

READ a third time the day of , 20.

ADOPTED, the day of ,20 .

PRESIDING MEMBER





CITY OF MAPLE RIDGE

BYLAW NO. 7157-2015

A Bylaw to amend Schedule "A" Zoning Bylaw Map forming part of Zoning Bylaw No. 7600 - 2019 as amended

WHEREAS, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 7600 - 2019 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. 7157-2015."
- 2. Those parcels or tracts of land and premises known and described as:

Lot 9 Section 10 and 11 Township 12 New Westminster District Plan 72100 Lot 10 Section 10 and 11 Township 12 New Westminster District Plan 72100

and outlined in heavy black line on Map No. 1639 a copy of which is attached hereto and forms part of this Bylaw, are hereby rezoned to RS-1b (Single Detached (Medium Density) Residential).

3. Maple Ridge Zoning Bylaw No. 7600 - 2019 as amended and Map "A" attached thereto are hereby amended accordingly.

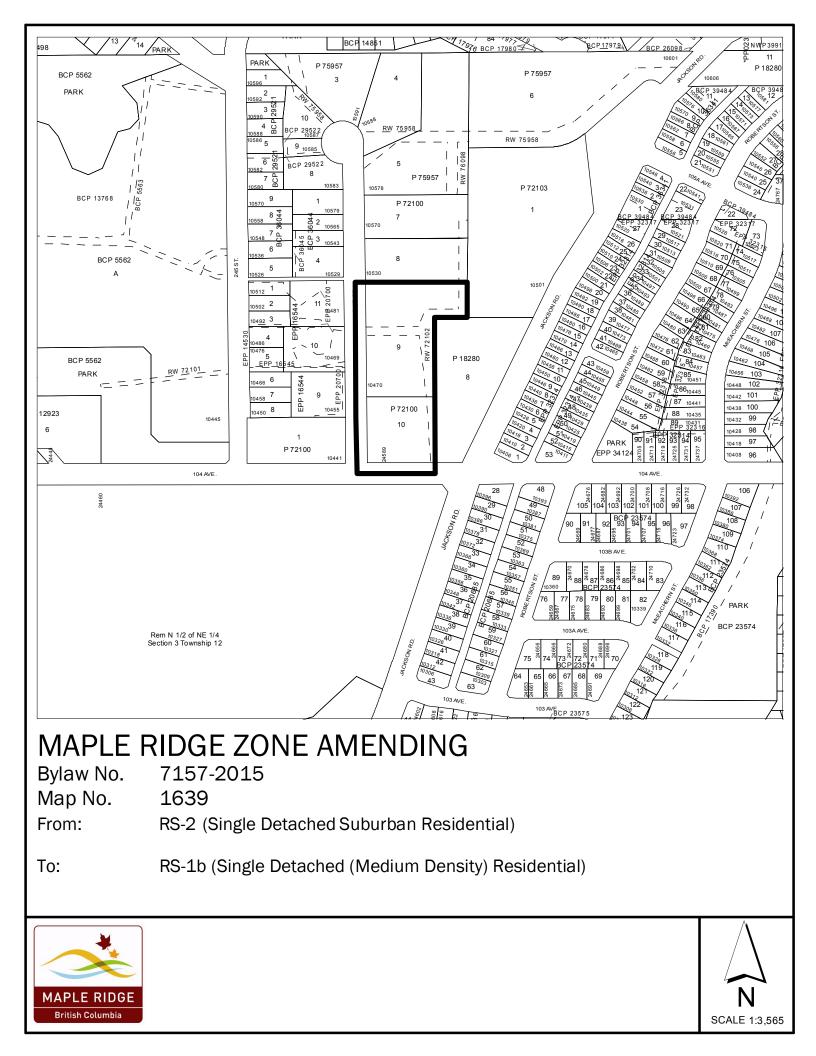
READ a first time the 27th day of June, 2017.

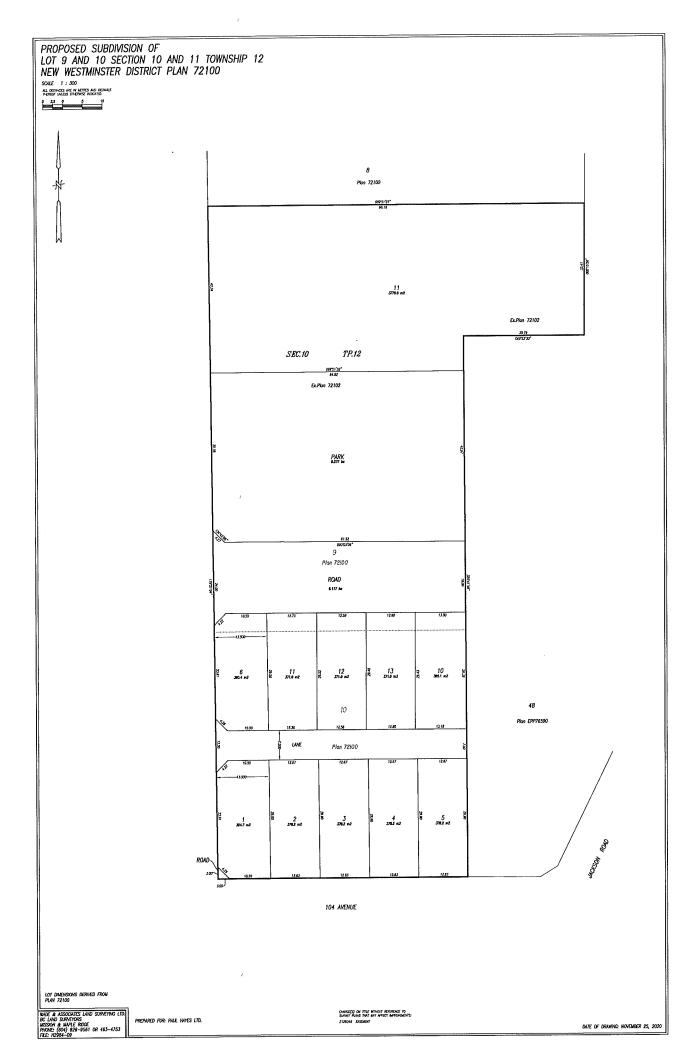
READ a second time, as amended, the 9th day of February, 2021.

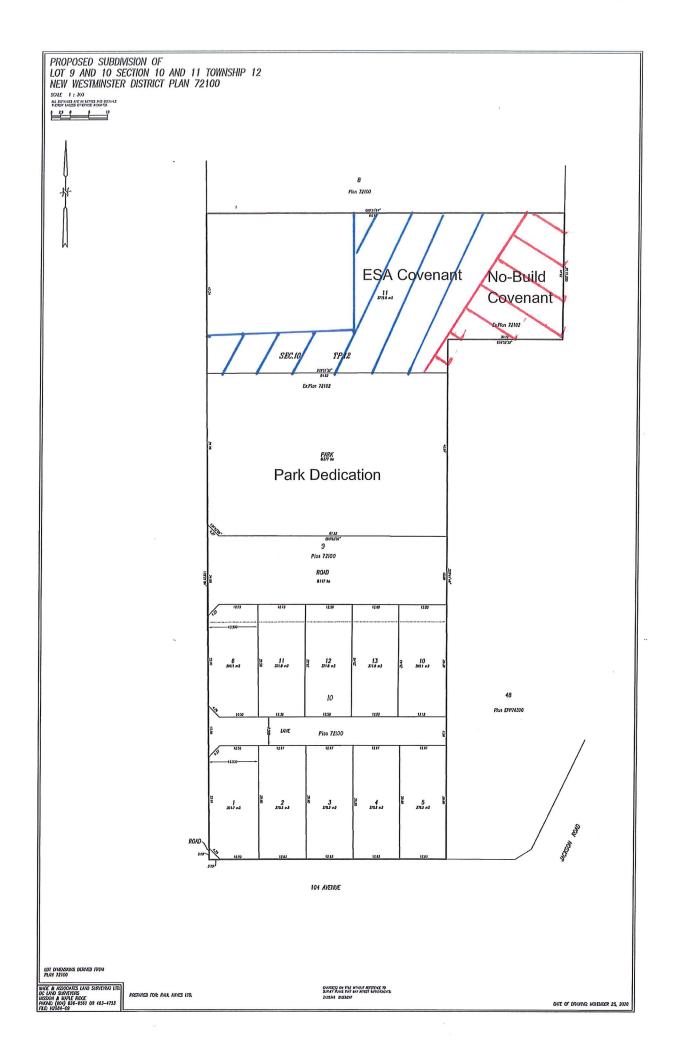
PUBLIC HEARING	day of		, 20	
READ a third time the		day of		, 20
ADOPTED the	day of		, 20	

PRESIDING MEMBER

CORPORATE OFFICER









TO: FROM:	His Worship Mayor Michael Morden and Members of Council Chief Administrative Officer	MEETING DATE: FILE NO: MEETING:	February 16, 2021 2019-409-RZ C o W
SUBJECT:	Final Reading OCP Amending Bylaw No. 7493-2018; Second Reading Zone Amending Bylaw No. 7613-2020; 12471 223 Street		

EXECUTIVE SUMMARY:

An application has been received to rezone the subject property located at 12471 223 Street from RS-1 (Single Detached Residential) to R-4 (Single Detached (Infill) Urban Residential), to permit a future subdivision of approximately two lots. Council granted first reading to Zone Amending Bylaw No. 7613-2020 on February 25, 2020. The minimum lot size for the proposed zone is 450m² and the proposed lots are 530m² in area. The R-4 (Single Detached (Infill) Urban Residential) zone is a newly created zone through the adoption of Maple Ridge Zoning Bylaw 7600 -2019.

The subject property is located along 223 Street, which is classified to be a local road. The application is therefore subject to the Residential Infill policies of the Official Community Plan. Pursuant to Council policy, this application is subject to the Community Amenity Contribution Program at a rate of \$5,100.00 per single family lot. As fewer than three lots are proposed, the original lot is exempt, and the program contribution is estimated to be \$5,100.00.

RECOMMENDATIONS:

- 1) That Official Community Plan Amending Bylaw No. 7493-2018 be given final reading;
- 2) That Zone Amending Bylaw No. 7613-2020 be given second reading, and be forwarded to Public Hearing;
- 3) That the following terms and conditions be met prior to final reading:
 - i) Registration of a Restrictive Covenant for Stormwater Management;
 - ii) Removal of existing buildings;
 - iii) Approval of a Development Variance Permit application 2019-409-DVP;
 - iv) 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.



v) That a voluntary contribution, in the amount of \$ 5,100.00 be provided in keeping with the Council Policy with regard to Community Amenity Contributions.

DISCUSSION:

1) Background Context:

Applicant: Owner:	Pav Rakhra MP Pacific Developments Ltd
Legal Description:	Lot 39, District Lot 400, Group 1, New Westminster District Plan 30974
OCP: Existing: Proposed:	Urban Residential Urban Residential
Zoning: Existing: Proposed:	RS-1 (Single Detached Residential) R-4 (Single Detached (Infill) Urban Residential)

Surrounding Uses:

North:	Use: Zone:	Single Family Residential RS-1 (Single Detached Residential)
	Designation:	Urban Residential
South:	Use:	Single Family Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	Urban Residential
East:	Use:	Single Family Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	Urban Residential
West:	Use:	Single Family Residential
	Zone:	RS-1b (Single Detached (Medium Density) Residential)
	Designation:	Urban Residential

Existing Use of Property:	Single Family Residential
Proposed Use of Property:	Single Family Residential
Site Area:	0.113 ha. (0.28 acres)
Access:	223 Street
Servicing requirement:	Urban Standard

2) Project Description:

The subject property, located at 12471 223 Street, is approximately 1130m² in area, and is generally flat, with some shrubs and hedges located along the perimeter. The subject property is situated just north of the Town Centre Area, and is bounded by single family residential properties on all sides, with 223 Street fronting the east property line. There is an active application in process to rezone the property located directly across the street, 12478 223 Street, to allow future subdivision into two RS-1b zoned lots, which application 2020-369-RZ received first reading on January 13, 2021 (see Appendix A).

3) Planning Analysis:

i) Official Community Plan:

The development site is currently designated *Urban Residential*. The Zoning Matrix identifies both a neighbourhood residential infill category, and a major corridor residential category. The subject property is considered *Neighbourhood Residential Infill*, which designation allows for single detached dwellings and other housing forms, subject to the *Neighbourhood Residential Infill Policies*.

Specifically, Policy 3-19 provides for subdivision in established neighbourhoods providing that the lot area and width is not less than 80% of the lot area and width prescribed under the predominate zone in the neighbourhood. On January 29, 2019, Council granted OCP Amending Bylaw 7493-2019 third reading to amend Policy 3-19 with the addition of the following language:

RS-1 (One Family Urban Residential) zoned parent parcels that are unable to satisfy the 80% requirement may be eligible for R-4 (Single Detached (Infill) Urban Residential) zoning subject to satisfying Policy 3-21.

For reference, Policy 3-21 states:

All Neighbourhood and Major Corridor Residential infill developments will respect and reinforce the physical patterns and characteristics of established neighbourhoods, with particular attention to:

- a) the ability of the existing infrastructure to support the new development;
- b) the compatibility of the site design, setbacks, and lot configuration with the existing pattern of development in the area;
- c) the compatibility between building massing and the type of dwelling units in the proposed development and the surrounding residential properties;
- d) the location, orientation, and visual impact of vehicle access/egress in relation to:
 - i. adjacent developments
 - ii. the street
 - iii. the pedestrian environment
- e) minimizing adverse parking and traffic impacts on the existing neighbourhood;
- f) a gradual transition of scale and density through the design of building mass and form, such as:
 i. reduction in building heights at the edges of a development;
 - ii. location of lower density components towards the perimeters of a site; and

iii. concentration of density to the centre of a development or towards a non-residential boundary;

- g) retention and preservation of significant trees, other natural vegetation, and environmental features;
- h) maintaining adequate light, view and privacy for residents on adjacent properties or in adjacent neighbourhoods;
- i) conservation of special landscapes such as gardens, or built-form features, including heritage buildings,that contribute to the unique character of a neighbourhood.

As the subject application is moving to second reading, it is now an appropriate time for Council to consider final reading of OCP Amending Bylaw 7493-2018. Adoption of the additional Policy 3-19 text will align the OCP with the newly created R-4 (Single Detached (Infill) Urban Residential) zone. Staff continue to explore new tools to support the creation of sensitive infill development identified as the 'missing middle'.

ii) <u>Zoning Bylaw</u>:

The current application proposes to rezone the property located at 12471 223 Street from RS-1 (Single Detached Residential) to the R-4 (Single Detached (Infill) Urban Residential) zone, to permit future subdivision into two residential lots of approximately 530 m².

The new R-4 (Single Detached (Infill) Urban Residential) zone is the equivalent to 80% of the RS-1b (Single Detached (Medium Density) Residential) zone, with a minimum lot area of 450m² and a minimum lot width of 12m, consistent with the existing transition between the RS-1 (Single Detached Residential) and RS-1b (Single Detached (Medium Density) Residential) zones. The new infill zone allows a lower height maximum of 9.5m compared to the typical 11m to ensure better compatibility with existing (and often smaller) developments. A maximum height of 9.5m would still permit a two storey home to be constructed. Additionally, front yard and side yard setbacks are enlarged to reflect RS-1 (Single Detached Residential) zone requirements, so that the siting of the homes is more consistent with existing homes.

The minimum lot size for the current RS-1 (Single Detached Residential) zone is 668m², and the minimum lot size for the proposed R-4 (Single Detached (Infill) Urban Residential) zone is 450m². The subject application is proposing two residential lots, of each 530m² in area.

iii) <u>Proposed Variances:</u>

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

• *Maple Ridge Zoning Bylaw No.* 7600-2019, Section 604.4.1.6: to reduce the required minimum lot width from 12.0 metres, to 11.5 metres;

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

4) Interdepartmental Implications:

i) <u>Engineering Department:</u>

Storm sewer analysis will become a condition under the future subdivision comments, and full requirement items will be addressed at the appropriate time in the referral of the subdivision application.

5) Citizen/Customer Implications:

Planning Staff received an email from neighbouring property owners on December 21, 2019, speaking against the subdivision plans, due to a private dispute. There will be an opportunity for them to speak at the Public Hearing, as per procedural practice.

CONCLUSION:

It is recommended that final reading be given to OCP Amending Bylaw 7493-2018, that second reading be given to Zone Amending Bylaw No.7613-2020, and that application 2019-408-RZ be forwarded to Public Hearing.

"Original signed by Mark McMullen" for

Prepared by: Therese Melser Planning Technician

"Original signed by Chuck Goddard"

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

"Original signed by Christine Carter"

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

"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

The following appendices are attached hereto:

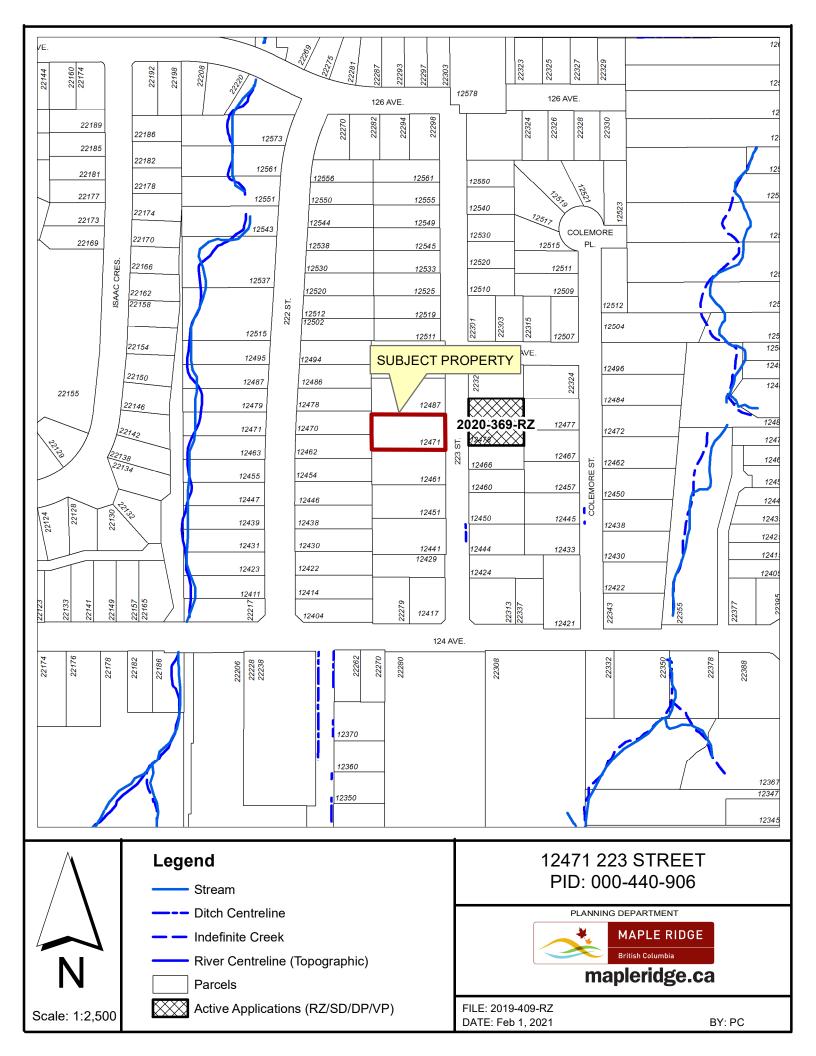
Appendix A – Subject Map

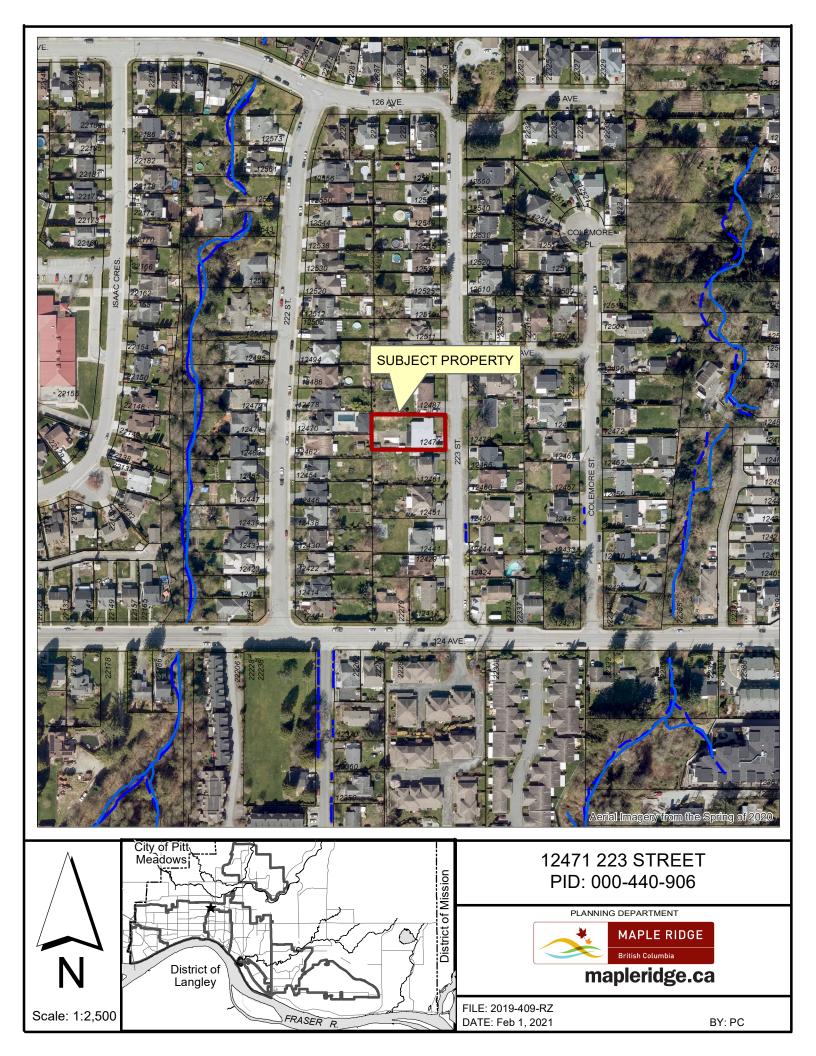
Appendix B – Ortho Map

Appendix C – OCP Amending Bylaw 7493-2018

Appendix D – Zone Amending Bylaw No. 7613-2020

Appendix E – Subdivision Plan





CITY OF MAPLE RIDGE BYLAW NO. 7613-2020

A Bylaw to amend Map "A" forming part of Zoning Bylaw No. 7600-2019 as amended

WHEREAS, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 7600-2019 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. 7613-2020."
- 2. That parcel or tract of land and premises known and described as:

Lot 39 District Lot 400 Group 1 New Westminster District Plan 30974

and outlined in heavy black line on Map No. 1827 a copy of which is attached hereto and forms part of this Bylaw, is hereby rezoned to R-4 Single Detached (Infill) Urban Residential.

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

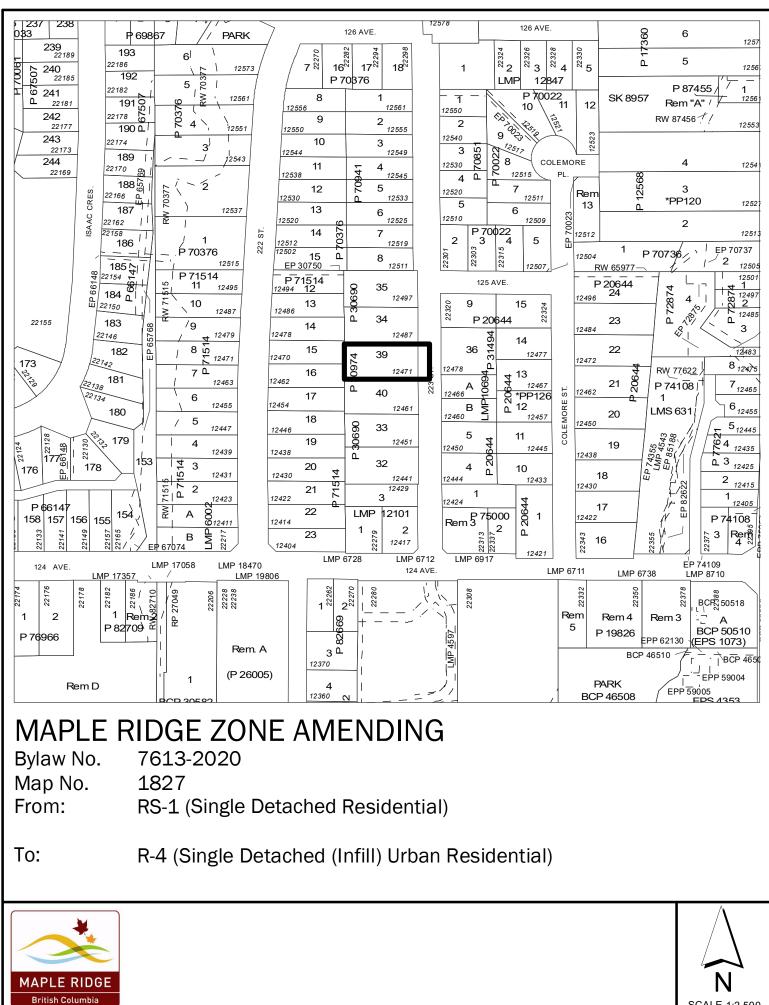
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READ a second time the 23rd day of February, 2021.

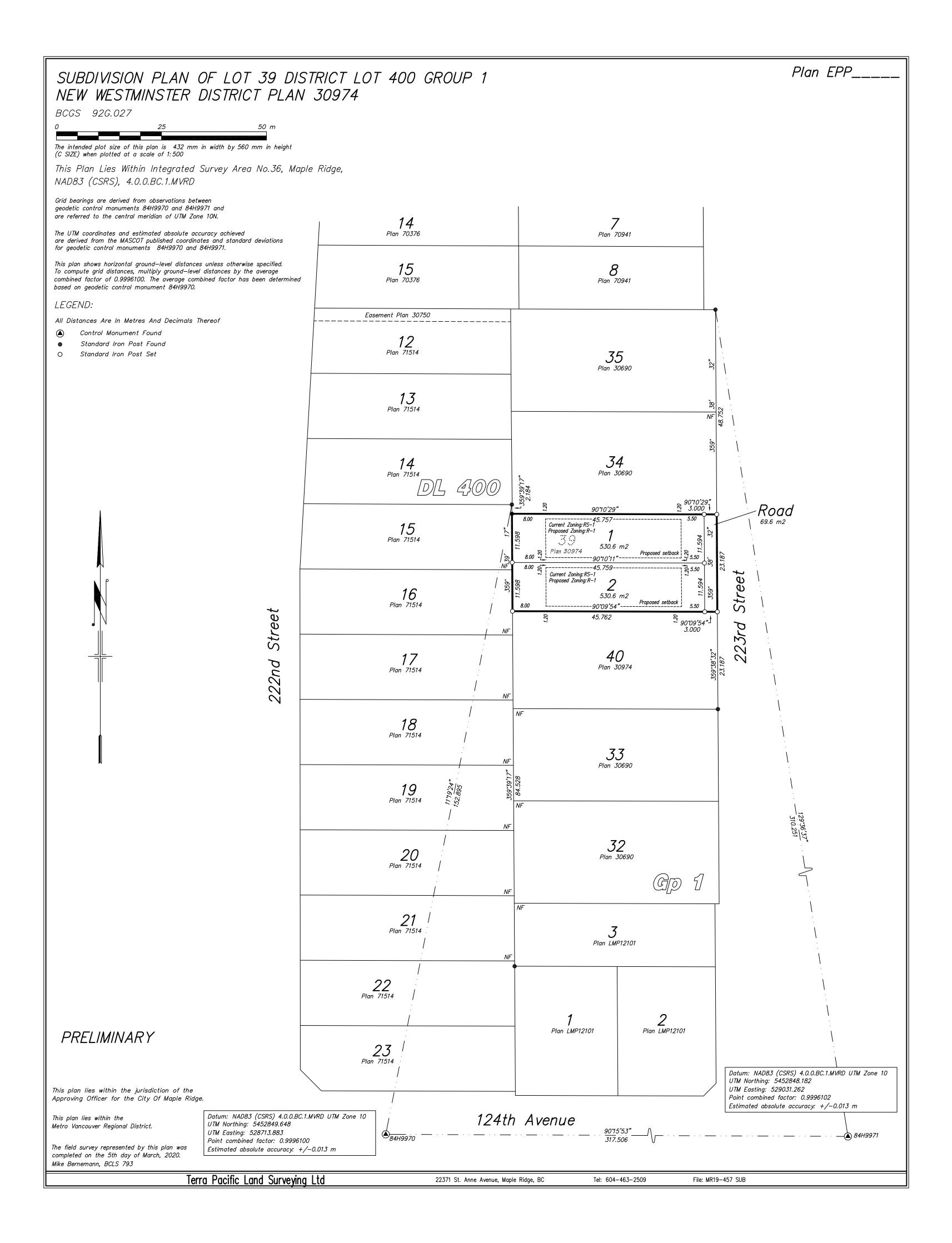
PUBLIC HEARING he	eld the	day of		, 20
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ADOPTED, the	day of		, 20	

PRESIDING MEMBER

CORPORATE OFFICER



SCALE 1:2,500





TO: FROM:	His Worship Mayor Michael Morden and Members of Council Chief Administrative Officer	MEETING DATE: FILE NO: MEETING:	February 2, 2021 2018-182-RZ C o W
SUBJECT:	Second Reading Zone Amending Bylaw No. 7562-2019; 11040 Cameron Court		

EXECUTIVE SUMMARY:

An application has been received to rezone the subject property located at 11040 Cameron Court (Appendix A and B) from RS-2 (Single Detached Suburban Residential) to RS-1d (Single Detached (Half Acre) Residential), with a density bonus, to permit a future subdivision of approximately six (6) lots. Council granted first reading to Zone Amending Bylaw No 7562-2019 on September 8, 2020.

The proposed RS-1d (Single Detached (Half Acre) Residential) zone utilizing the Density Bonus will allow the development of RS-1b (Single Detached (Medium Density) Residential) sized single family lots of 557m². The proposed RS-1d zone and Density Bonus complies with the policies of the Official Community Plan (OCP).

In order to achieve the Density Bonus provision and have RS-1b (Single Detached (Medium Density) Residential) zone sized lots a Density Bonus contribution of approximately \$18,600 will be required.

Pursuant to Council Policy, this application is subject to the City-wide Community Amenity Contribution Program at a rate of \$5,100.00 per single family lot, for an estimated amount of \$30,600.

There is not sufficient suitable land for park dedication on the subject site and it is recommended that Council require the developer to pay to the City an amount that equals five percent (5%) of the market value of the land required for parkland purposes, as determined by an independent appraisal.

Zone Amending Bylaw No. 7562-2019 is proposed to be given Second Reading as amended, to include revisions that include wording and referencing to the new Zoning Bylaw 7600-2019.

RECOMMENDATIONS:

- 1) That Zone Amending Bylaw No. 7562-2019 be given Second Reading as amended, and be forwarded to Public Hearing;
- 2) That, as a condition of subdivision approval, the developer pay to the City an amount that equals 5% of the market value of the land, as determined by an independent appraisal, in lieu of parkland dedication in accordance with Section 510 of the *Local Government Act*; and

- 3) 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. Road dedication on Cameron Court as required;
 - iii. Submission of a site grading and storm water management plan to the City's satisfaction;
 - iv. Registration of a Restrictive Covenant for the Geotechnical Report, which addresses the suitability of the subject property for the proposed development;
 - v. Registration of a Restrictive Covenant for the protection of the Environmentally Sensitive Areas (wetlands) on the subject property;
 - vi. Registration of a Restrictive Covenant for Tree Protection and Storm-water Management;
- vii. Removal of existing buildings;
- viii. 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; and if so, a Stage 1 Site Investigation Report is required to ensure that the subject property is not a contaminated site;
- ix. That a voluntary contribution, in the amount of \$30,600.00 (\$5,100.00 per lot X 6 lots) be provided in keeping with the Council Policy with regard to Community Amenity Contributions; and
- x. Payment of the Density Bonus provision of the RS-1d (Single Detached (Half Acre) Residential) zone, in the amount \$18,600.00 (\$3,100.00 per lot X 6 lots).

DISCUSSION:

1) Background Context:

Applicant:	Don Bowins
Legal Description:	Lot 34 Section 10 Township 12 New Westminster District Plan 66748
OCP: Existing: Proposed:	Low Density Residential Single-Family Residential
Zoning: Existing: Proposed:	RS-2 (One Detached Suburban Residential) RS-1d (Single Detached (Half Acre) Residential)

Surrounding Uses:		
North:	Use:	Single Family Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	Low Density Residential and Conservation
South:	Use:	Regional Park
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	Park
East:	Use:	Single Family Residential
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	Low Density Residential
West:	Use:	Single Family Residential
	Zone:	RS-2 (One Detached Suburban Residential)
	Designation:	Low Density Residential
Existing Use of Property:		Suburban Single Family Residential
Proposed Use of Property:		Urban Single Family Residential
Site Area:		0.406 ha (1.0 acre)

1) Project Description:

Servicing requirement:

Access:

The applicant has requested to rezone the subject property from RS-2 (One Detached Suburban Residential) to RS-1d (Single Detached (Half Acre) Residential), with a Density Bonus.

The RS-1d (Single Detached (Half Acre) Residential) zone specifies the base density with a minimum net lot area of 2,000m², minimum lot width of 30m, and a minimum lot depth of 40m. A Density Bonus is an option in the RS-1d (Single Detached (Half Acre) Residential and shall be applied as follows:

- a. An Amenity Contribution of \$3,100 per lot will be required in any subdivision containing one or more lots with an area of less than 2,000m².
- b. The maximum density permitted through the Density Bonus option is:

Cameron Court

Urban Standard

- i. minimum net lot area of 557m²;
- ii. minimum lot width of 14m;
- iii. minimum lot depth of 27m.
- c. Zoning requirements consistent with the RS-1b (Single Detached (Medium Density) Residential) zone will apply and supersede the zoning requirements for the RS-1d zone.

The proposal consists of six (6) lots amounting to a Density Bonus Contribution of approximately \$30,600. As per Council direction, this application will also be subject to the City-wide Community Amenity Contribution Program which will require a contribution of \$5,100.00 per lot. (Appendix E)

This rezoning application is one of several along the Cameron Court/110th Avenue corridor all of which require the installation of a sanitary sewer pump station. The subject property has dedicated the land that is required for the pump station after First Reading was granted to Zone Amending Bylaw 7562-2019.

2) Planning Analysis:

i) Official Community Plan:

The subject property is located within the Albion Area Plan and is currently designated *Low Density Residential*.

The *Low Density Residential* designation corresponds with single detached residential development at a lot density urban standard with lot sizes at 2000m² (half acre). Higher densities many be supportable in compliance with the Density Bonus Program regulations prescribed in the Zoning Bylaw and Albion Area Plan.

Albion Plan Policy 10.2.2 is intended to meet the needs of the community and respond to changes in housing form and demand over time by enabling an additional means of providing neighbourhood amenities. The Albion Area Plan Community Amenity Program provides the opportunity for a Density Bonus within a number of zones identified with the Albion Zoning Matrix. Within these zones, 'bonus' density may be achieved through an Amenity Contribution toward community amenities that will be located within the boundaries of the Plan Area.

The application is in compliance with the Density Bonus option in the *Low Density Residential* designation in the Albion Area Plan. The applicant intends to apply the Density Bonus option to this project, as discussed above in the Project Description.

ii) <u>Zoning Bylaw</u>:

The current application proposes to rezone the property located at 11045 Cameron Court from RS-2 (One Family Suburban Residential) to RS-1d (One Family Urban (Half Acre) Residential) with a Desnity Bonus, to permit future subdivision of six (6) RS-1b (Single Detached (Medium Density) Residential) sized single family lots. The application of the Density Bonus, which is specific to the Albion Area Plan, will permit the application to reduce the single-family lot size from RS-1d (One Family Urban (Half Acre) Residential base density of 2,000m² to 557m² as discussed above.

iii) <u>Proposed Variances:</u>

The applicant has not applied for any variances to facilitate the proposed subdivision layout. Any variances that maybe required to the RS-1d (Single Detached (Half Acre) Residential) zone will be subject of a future Council report. With the Density Bonus provision of the to RS-1d (Single Detached (Half Acre) Residential) zone, the RS-1b (Single Detached (Medium Density) Residential) zone siting requirements apply.

iv) <u>Development Information Meeting</u>:

A Development Information Meeting (DIM) was conducted via the Public Comment Opportunity process from December 7, 2020 to December 17, 2020. The applicant advised that there was no public comments received.

v) Parkland Requirement:

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

For this project, there is no suitable land for park dedication on the subject property and it is therefore recommended that Council require the developer to to pay to the City an amount that equals the market value of five percent (5%) of the land required for parkland purposes. The amount payable to the City in lieu of park dedication must be derived by an independent appraisal at the developer's expense. Council consideration of the cash-in-lieu amount will be the subject of a future Council report.

3) Interdepartmental Implications:

i) <u>Engineering Department:</u>

Sanitary Sewer:

The recently approved rezoning (2018-105-RZ) located at 24145 and 24185-110 Avenue, which is situated west of the subject property, and has designed and provided security for a sanitary pump station which is required to facilitate this rezoning and other rezonings in the area. The subject property, as outlined in the First Reading report to Council, was identified as the location for the sanitary sewer pump station. The required land for the pump station has been dedicated to the City in the form of road dedication from the subject property.

This development will be subject to a latecomer payment through the subdivision approval process related to the sanitary sewer. At this time the latecomer payment has not been determined.

Storm-water Drainage:

There is no existing storm drainage system fronting the property. A storm sewer main would need to be installed upon the site as a condition of rezoning. The preliminary drawings show the drainage system outfall to the nearby Kanaka Creek system. This would require a design and sign off from a Qualified Environmental Professional. The drainage proposal would need to be referred to the City's Environment staff as well as the appropriate agencies.

A storm-water management plan needs to be provided with respect to the proposed development and should include all contributing factors such as adjacent lots, road runoff etc. This will also need to be accompanied by storm sewer design and catchment analysis. The discharge to the creek will need to be controlled via a source control facility such as a flow control manhole.

Water:

The existing 150mm watermain does not meet the minimum size of 200mm. In addition it does not provide sufficient fire flow and is exceeding the maximum length for a dead end watermain. The existing 150mm watermain would need to be upgraded to a minimum 250mm main from 240 Street provided that this is sufficient in delivering the required 60-120 L/s required for single family residential development. The developer's engineer will need to demonstrate that this is achievable. The watermain could also be looped to the existing system on 112 Avenue.

Any water servicing option would require assessment of the existing City water distribution system.

Forests, Lands, Natural Resource Operations and Rural Development

The proposed storm water outfall to Kanaka creek may require approval from the Province and other government agencies as applicable.

Geotechnical:

The geotechnical report must be reviewed by the engineer of record with respect to the final civil design.

CONCLUSION:

It is recommended that Second Reading, as amended, be given to Zone Amending Bylaw No. 7562-2019 and be forwarded to Public Hearing.

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

"Original signed by Wendy Cooper"

Prepared by: Wendy Cooper, M.Sc., MCIP, RPP Planner

"Original signed by Chuck Goddard"

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

"Original signed by Christine Carter"

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

"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

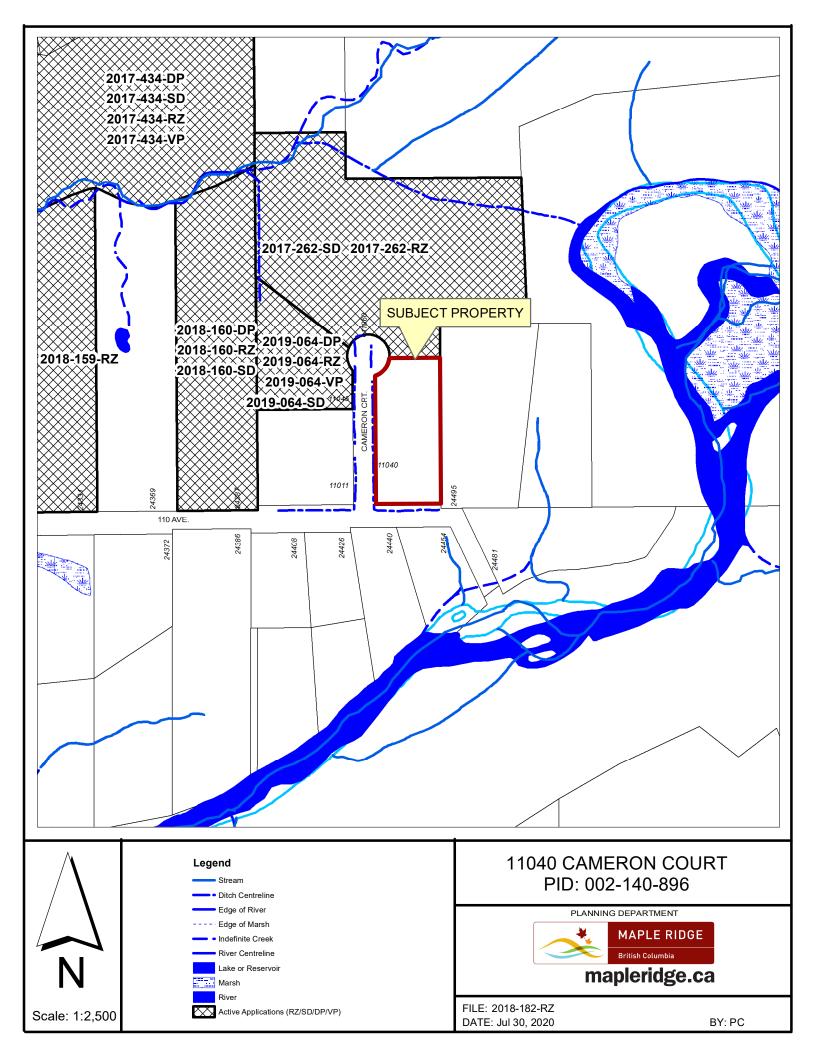
The following appendices are attached hereto:

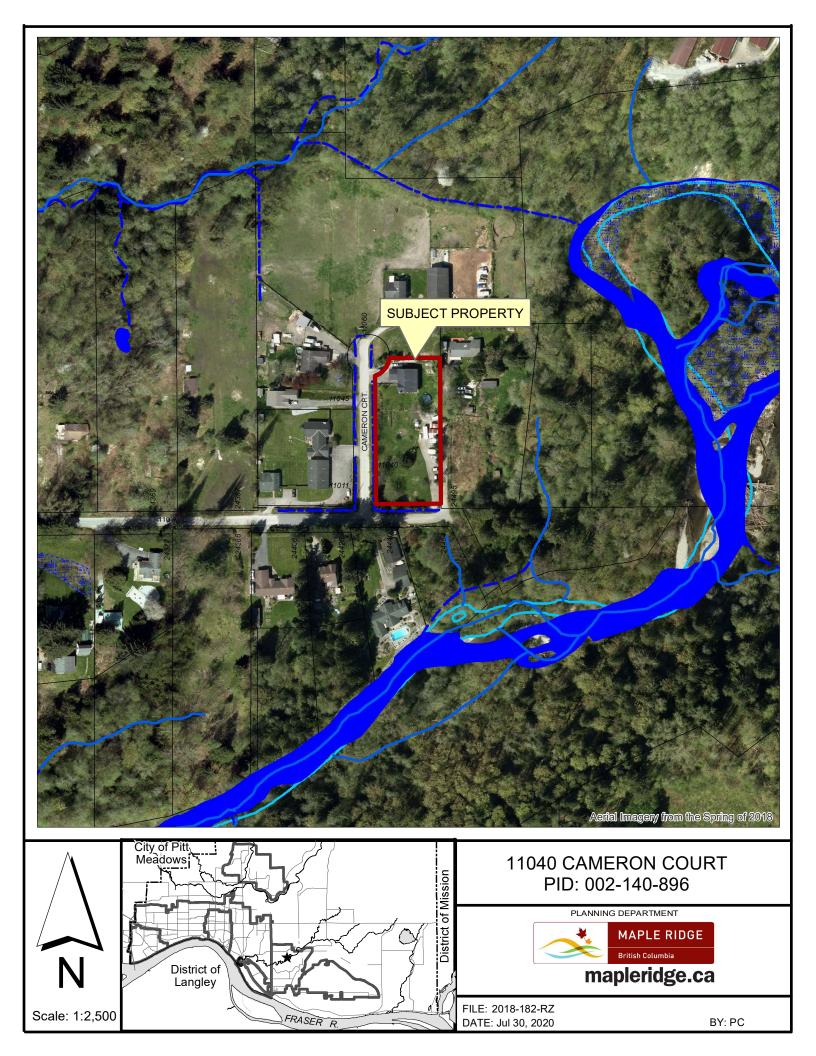
Appendix A – Subject Map

Appendix B – Ortho Map

Appendix D – Zone Amending Bylaw No. 7562-2019

Appendix E – Site Plan





CITY OF MAPLE RIDGE BYLAW NO. 7562-2019

A Bylaw to amend Map "A" forming part of Zoning Bylaw No. 7600- 2019 as amended

WHEREAS it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 7600 - 2019 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. 7562-2019."
- 2. That parcel or tract of land and premises known and described as:

Lot 34 Section 10 Township 12 New Westminster District Plan 66748

and outlined in heavy black line on Map No. 1802 a copy of which is attached hereto and forms part of this Bylaw, are hereby rezoned to RS-1d (Single Detached (Half Acre) Residential.

3. Maple Ridge Zoning Bylaw No. 7600-2019 as amended and Map "A" attached thereto are hereby amended accordingly.

READ a first time the 8th day of September, 2020.

READ a second time, as amended, the 9th day of February, 2021.

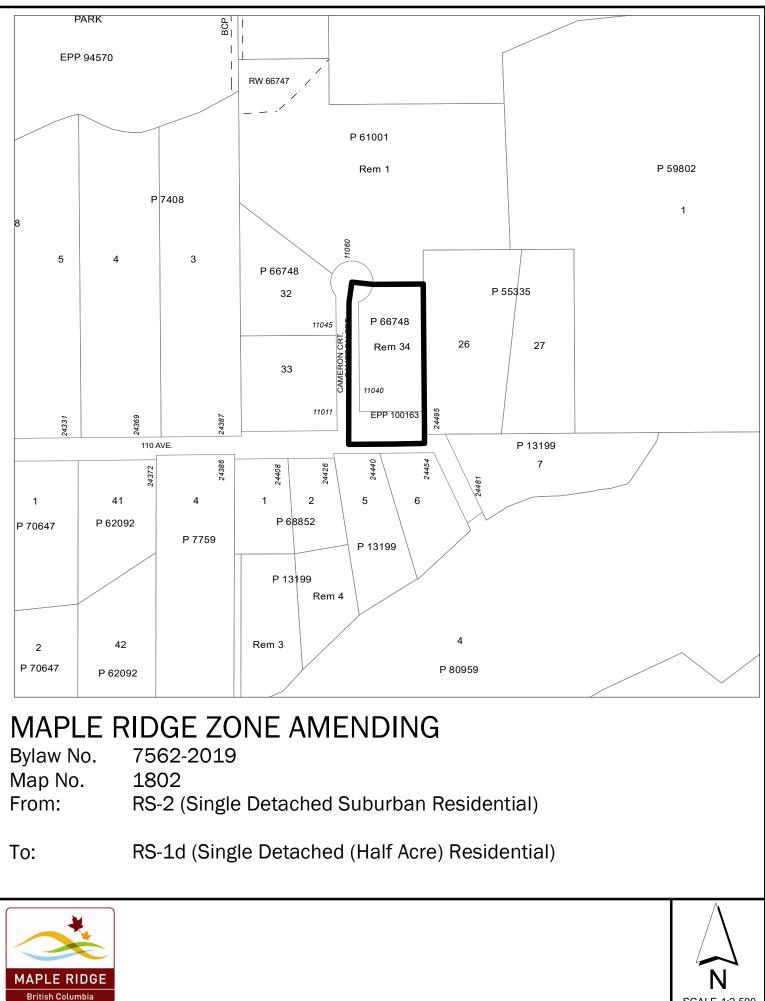
PUBLIC HEARING held the day of , 20

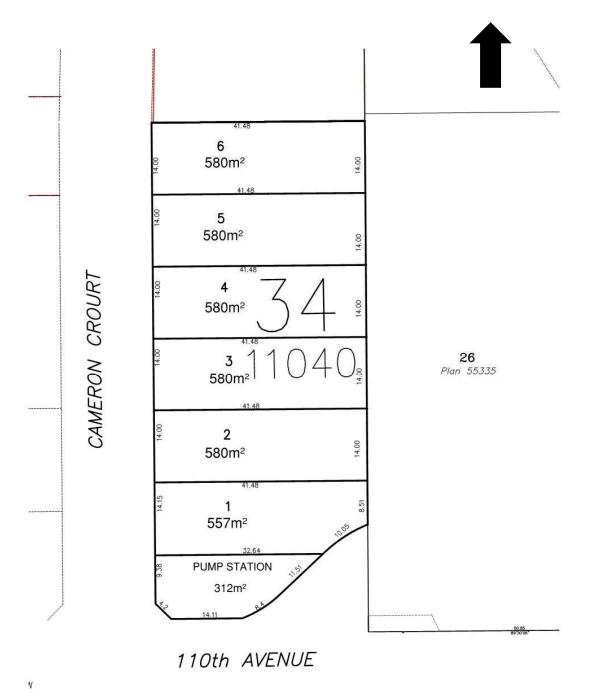
READ a third time the day of , 20

ADOPTED, the day of , 20

PRESIDING MEMBER

CORPORATE OFFICER





30 17



TO: FROM:	His Worship Mayor Michael Morden and Members of Council Chief Administrative Officer	MEETING DATE: FILE NO: MEETING:	February 2, 2021 2018-190-RZ C o W
SUBJECT:	Second Reading Zone Amending Bylaw No. 7470-2018; 23627 132 Avenue		

EXECUTIVE SUMMARY:

An application has been received to rezone the subject property located at 23627 132 Avenue from RS-2 (Single Detached Suburban Residential) to RM-1 (Low Density Townhouse Residential), to permit the future construction of a 23-unit residential townhouse development. An amendment is also being included to reflect changes in the calculation of density from the old Zoning Bylaw 3510-1985 to new Zoning Bylaw 7600-2019. This application is subject to Density Bonus contribution of approximately \$89,346.00

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 for an estimated amount of \$94,300.00.

This application is in compliance with the OCP.

Zone Amending Bylaw No. 7470-2018 is proposed to be given second reading, as amended, to include revisions that include working and references to the new Zoning Bylaw 7600-2019.

RECOMMENDATIONS:

- 1) That Zone Amending Bylaw No. 7470-2018 be given second reading as amended, and be forwarded to Public Hearing;
- 2) 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) Road upgrades and sidewalk along 132 Avenue as required;
 - iii) Road dedication as required;
 - iv) Registration of a Restrictive Covenant for the Geotechnical, which addresses the suitability of the subject property for the proposed development;
 - v) Registration of a Restrictive Covenant for protecting the Visitor Parking and Stormwater Management.



- 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.
- vii) That a voluntary contribution, in the amount of \$94,300.00 (\$4,100.00 X 23 units) be provided in keeping with the Council Policy with regard to Community Amenity Contributions.
- viii) Cash Contribution for additional Density at a rate of \$344.46 per square metre (\$32.00 per square foot) of density over 0.60 FSR in the amount of approximately \$89,346.00.

DISCUSSION:

1) Background Context:

Applicant:	Don Schmidt			
Legal Description:	Lot 20, Section 28, Township 12, New Westminster District Plan 47603			
OCP: Existing:	Medium/High Density Residential			
Zoning:				
Existing: Proposed:	RS-2 (Single Detached Suburban Residential) RM-1 (Low Density Townhouse Residential)			

Surrounding Uses:

North:	Use: Zone:	Townhouses RM-1 (Low Density Townhouse Residential)
South:	Designation: Use: Zone:	Medium/High Density Residential Single Family House RS-2 (Single Detached Suburban Residential)
F ooti	Designation:	Medium/High Density Residential and Conservation
East:	Use: Zone:	Townhouses RM-1 (Low Density Townhouse Residential)
Designation:		Medium/High Density Residential
West:	Use:	Single Family House
	Zone:	RS-2 (Single Detached Suburban Residential)
	Designation:	Medium/High Density Residential
Existing Use of Pr	operty:	Single Family Residential
Proposed Use of Property:		Multi-Family Residential
Site Area:		0.405 ha (1.0 acres)
Access:		132nd Avenue
Servicing requirement:		Urban Standard

1) Project Description:

The subject property is located at 23627 132 Avenue and is bounded to the north by a new 61-unit townhouse development; the south by 132 Avenue and new townhouse developments; the west by an older single family home; and to the east a newer 69-unit townhouse development. The subject site is sloping down from the northeast corner to the southwest corner, towards the intersection of 132 Avenue and 236 Street (see Appendix A).

The current development application consists of 23 townhouse units arranged in seven buildings that all face onto a strata road. The access for the site will be off 132 Avenue at approximately the middle of the road frontage of the site. The proposal has a mixture of double and tandem garages.

The application was submitted in 2018 and Zone Amending Bylaw No. 7470-2018 was granted First Reading on June 26, 2018 under Zoning Bylaw 3510-1985. Due to the current global pandemic, the project was not able to meet the deadlines to be present to Council before Zoning Bylaw 7600-2019 was adopted. The applicant has spent a great deal of time and resources designing the project to bring smaller affordable units to the City of Maple Ridge. Therefore, staff are supportive in this circumstance to support a site specific text amendment to the RM-1 (Low Density Townhouse Residential) to exclude 50m² of habitat basement area in the FSR calculation which was permitted under old Zoning Bylaw 3510-1985 and not permitted in new Zoning Bylaw 7600-2019.

2) Planning Analysis:

i) Official Community Plan:

The subject property (Appendix A) is located east of 236 Street and north of 132 Avenue, within the Silver Valley Area Plan, located outside the "River Village" Hamlet Centre. The OCP designation for the subject property is "*Medium-High Density Residential*".

Silver Valley Area Plan Policy 5.2 states:

River Village is located along a main arterial route in the Silver Valley area, on Fern Crescent, between Maple Ridge Park to the south and an escarpment to the north and east.

The principles within the River Village area within the Area Plan talk about making it a complete community with diverse mix of uses and building types.

Land uses in the periphery of the Hamlet are meant to serve as a transition to higher density in the Hamlet Centre. The subject property (Appendix A) is outside of both the defined higher density areas in the Area Plan and the 400 metre or five (5) minute walking radius of the River Village Hamlet Centre. Based on the location is designated medium/high density. The project has a density of 56.7 units per gross hectare which is generally consistent with the Silver Valley Plan.

ii) <u>Zoning Bylaw</u>:

The current application is to rezone the subject property located at 23627 132 Avenue from RS-2 (Single Detached Suburban Residential) to RM-1 (Low Density Townhouse Residential), to permit the future construction of a 23-unit residential townhouse development.

Council granted first reading to Zone Amending Bylaw No. 7470-2018 on June 26, 2018 under Zoning Bylaw 3510-1985 which excluded 50m² of habitable basement area in the FSR calculation

while the new Zoning Bylaw 7600-2019 includes all of the habital basement area in FSR. In light of the change in the method of calculating the FSR, a site specific amendment is required for this project to exclude 50m² of habitat basement area in the FSR calculation to a maximum of 0.664 FSR.

The table below illustrates the maximum floor space ratio (FSR) with and without the Density Bonus provision of the zoning bylaw. The table also details the proposed FSR and the associated density bonus cost for the application.

	Maximum Floor Space Ratio (RSR)	Density Bonus
RM-1 (Low Density Townhouse Residential)	0.60 FSR	\$89,346 (approximately)
zone		
Proposed density excluding 50m ² of basement area via a site specific zoning amendment to RM-1	0.664 FSR	

iii) Off-Street Parking And Loading Bylaw:

The proposed parking for the residential dwelling units fulfills the minimum requirements of 2.0 parking spaces per dwelling unit. The parking proposed consists of eight (8) double-wide car garages and fifteen (15) tandem parking garages with 11 of them having aprons. In addition there are six (6) visitor parking stalls which include an accessible stall.

iv) Proposed Variances:

A Development Variance Permit application has been received for this project and involves the following relaxations to Maple Ridge Zoning Bylaw No. 7600-2019.

Siting

Front lot line setback reduced from 7.5m to 6.0m Rear lot line setback reduced from 7.5m to 4.34 and 2.76m Interior side lot line setback reduced from 7.5m to 4.5m

• Outdoor Amenity Area

The required outdoor amenity area is $5.0m^2$ per townhouse unit which equates to $115m^2$ (1237.9 ft²). The application proposes to reduce the area to $78.9m^2$ (847ft²).

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

v) <u>Development Permits</u>:

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.

vi) Advisory Design Panel:

The application was reviewed by the ADP at a meeting held on June 17, 2020 and their comments and the applicants responses can be seen in Appendix G.

A detailed description of the project's form and character will be included in a future Development Permit report to Council.

vii) <u>Development Information Meeting</u>:

A Development Information Meeting (DIM) was conducted via the Public Comment Opportunity process from December 14, 2020 to December 24, 2020. Three individuals contacted the applicant via email and one via phone call. A summary of the main comments and discussions with the attendees was provided by the applicant and include the following main points:

- One email inquired about the hedge that is located on the property line between the two properties. The applicant advised that would be part of the development referral process and included an arborist report and environmental report. That the applicant would be in contact with her with respect to the removal of the hedge.
- One email requested the site plan be emailed to them directly by the applicant. The applicant emailed the site plan directly.
- One email was from a new resident to the area that had concerns over the density and removal of the trees; and that when the resident bought two weeks ago they did not know that this development was proposed. The applicant advised via email that the application was following the OCP and there is a sign posted on the site that clearly indicates that the property is under development. The applicant provided his phone number to the inquiry and advised that he would be available to discuss the project further.
- One email was from a resident in the new townhouse development to the north of the subject property. The resident was concerned about the density and the removal of trees as they advised they bought in the area due to nature. The resident expressed their desire that the development included lower density and a park. The applicant advised that the application has been instream for over three years and that the resident purchased two years ago. The applicant also advised that the application was following the OCP and would be happy to discuss the application further with the resident.

3) Parkland Requirement:

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

4) Interdepartmental Implications:

i) <u>Engineering Department:</u>

Initial Engineering comments for the rezoning stage included the following:

Road

Road upgrades are required along 132 Avenue to achieve an Urban Collector road standard. The construction of a concrete sidewalk is required across the frontage of the property.

• Sanitary Sewer

The sanitary sewer system will require modelling by the applicant's civil engineer to determine if there is sufficient capacity in the existing system. If there is not sufficient capacity, upgrades may be required and/or downstream improvements many be required.

• Storm Sewer

There is an existing storm sewer line fronting the subject property. The storm sewer system requires review to determine the condition, as well as capacity. If there is not sufficient capacity, upgrades may be required and/or downstream improvements may be required.

• Watermain

This area is undergoing water system upgrades. These upgrades will require the applicant's civil engineer to coordinate with the City's Capital Works Group when preparing the servicing design for the proposed development. There may be upgrades to the watermain or water system that the applicant will be required to provide.

Other requirements would be satisfied though a Rezoning Serving Agreement.

Fire Department:

All applicable requirements will be assessed for compliance as part of the Building Permit process.

CONCLUSION:

It is recommended that second reading, as amended, be given to Zone Amending Bylaw No. 7470-2018 and that application 2018-190-RZ be forwarded to Public Hearing.

"Original signed by Wendy Cooper"

Prepared by: Wendy Cooper, M.Sc., MCIP, RPP Planner

"Original signed by Chuck Goddard"

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

"Original signed by Christine Carter"

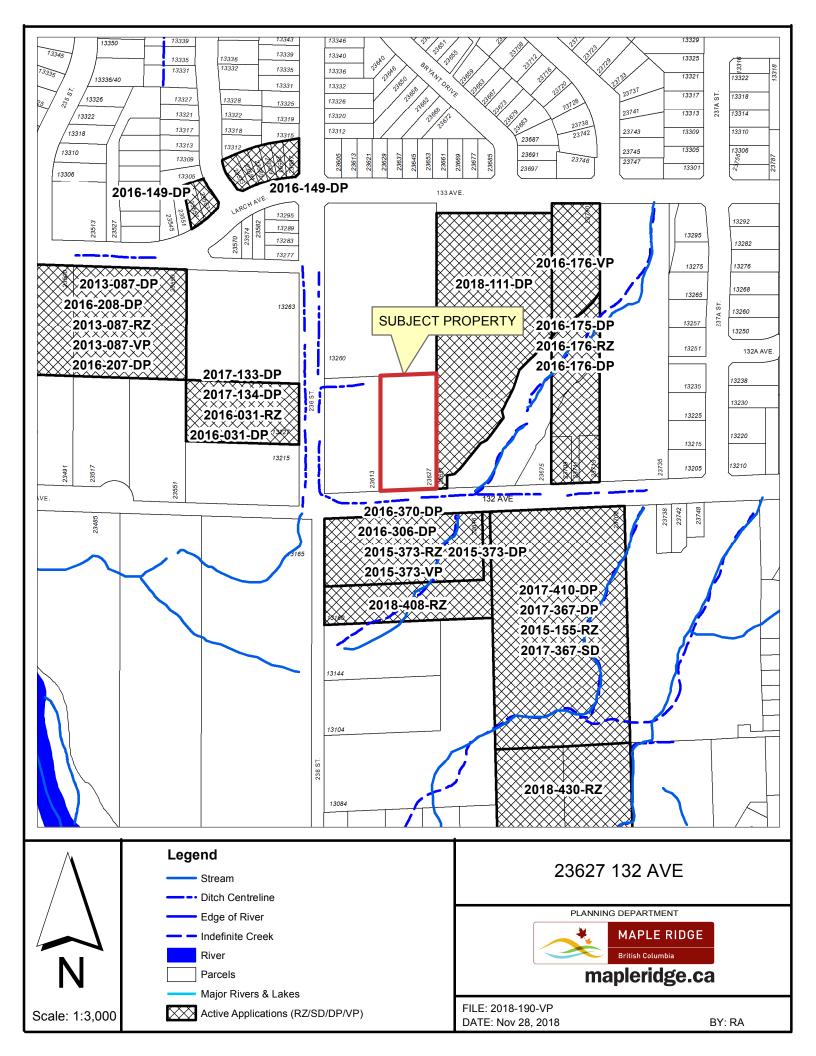
Approved by: Christine Carter, M.PL, MCIP, RPP GM Planning & Development Services

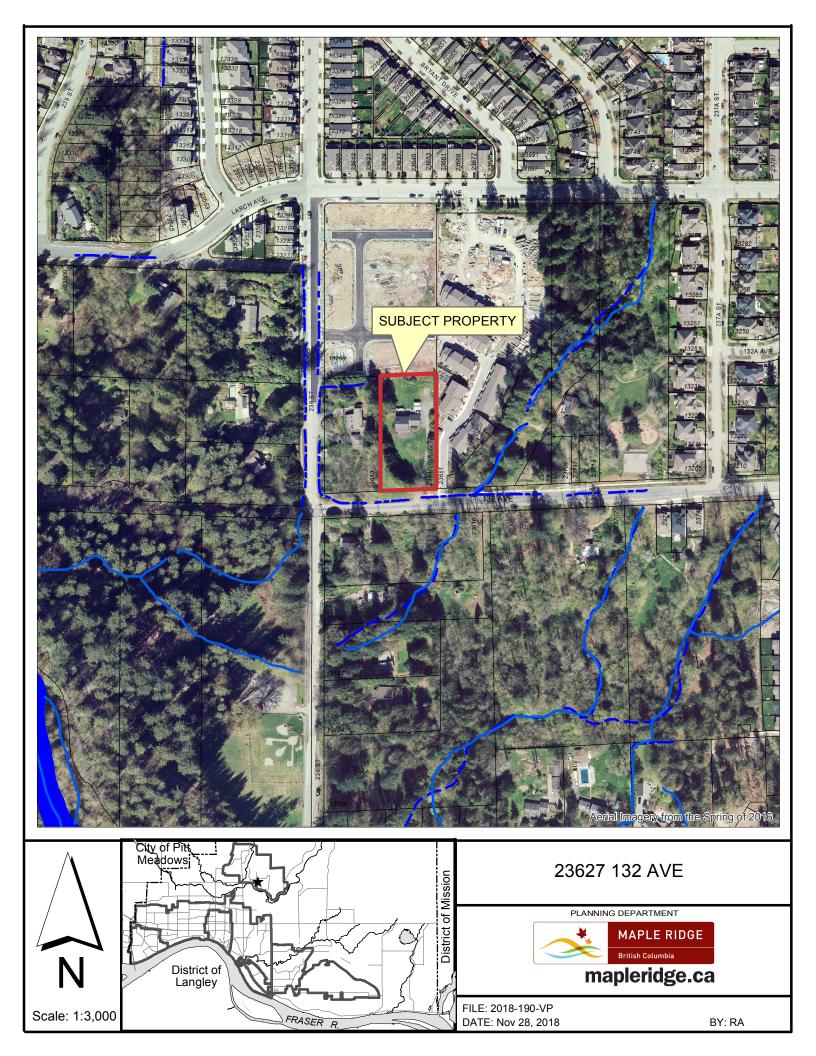
"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

- The following appendices are attached hereto:

- Appendix A Subject Map Appendix B Ortho Map Appendix C Zone Amending Bylaw No. 7470-2018 Appendix D Site Plan
- Appendix E Building Elevation Plans
- Appendix F Landscape Plan
- Appendix G ADP Design Comments





CITY OF MAPLE RIDGE BYLAW NO. 7470-2018

A Bylaw to amend Map "A" forming part of Zoning Bylaw No. 7600-2019 as amended

WHEREAS it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 7600-2019 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. 7470-2018."
- 2. That Part 6, Section 617, Low Density Townhouse Residential District (RM-1) be amended by inserting into Subsection 617.5 Density, after clause 1 (a) the following new clause:

(b) Floor Space Ratio shall not exceed 0.664 times the Lot Area and a maximum of 50.0 square metres of habitable Basement area per unit shall be excluded from the calculation of Gross Floor Area specific to the following Lot:

(i) Lot 20 Section 28 Township 12 New Westminster District Plan 47603

3. That parcel or tract of land and premises known and described as:

Lot 20 Section 28 Township 12 New Westminster District Plan 47603

and outlined in heavy black line on Map No. 1765 a copy of which is attached hereto and forms part of this Bylaw, is hereby rezoned to RM-1 (Low Density Townhouse Residential).

4. Maple Ridge Zoning Bylaw No. 7600-2019 as amended and Map "A" attached thereto are hereby amended accordingly.

READ a first time the 26th day of June, 2018.

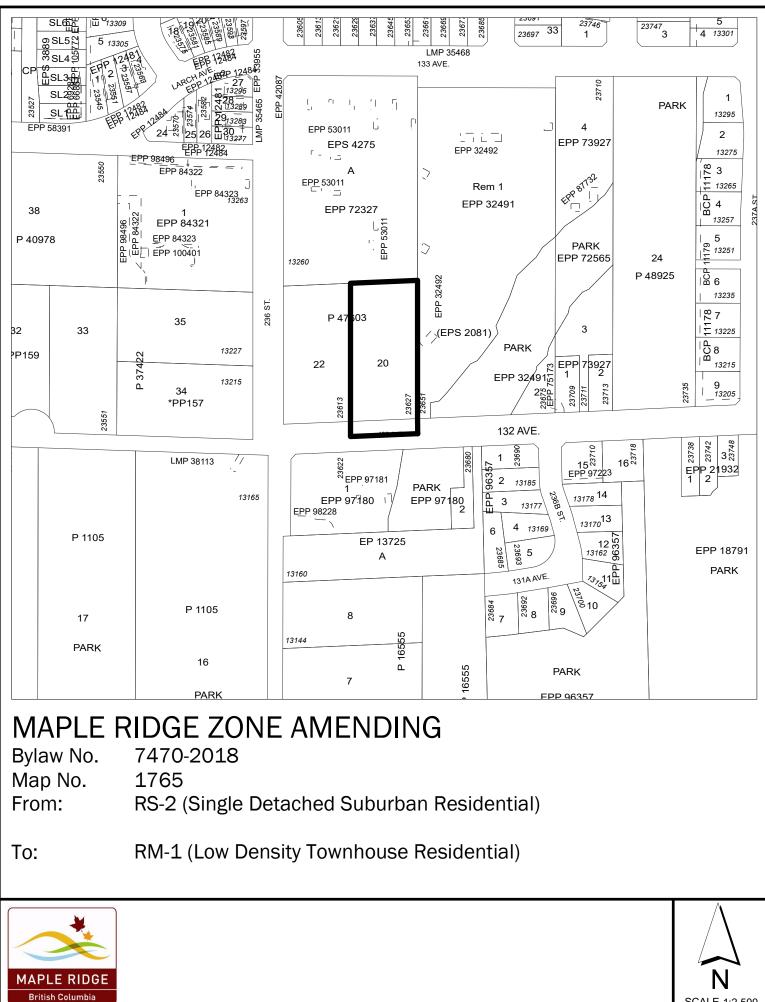
READ a second time, as amended, the 9th day of February, 2021.

PUBLIC HEARING held the	day of	, 20
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READ a third time the	day of	. 20
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ADOPTED, the day of , 20

PRESIDING MEMBER



SCALE 1:2,500











CRAFTMAN STYLE 2 STOREY SINGLE HOUSE MATERIALS: HORIZONTAL VINYL SIDING, WOOD SHAKE AND STACKED STONE BASE



TRANDITIOANL STYLE 2 STOREY TOWNHOUSE DEVELOPMENT MATERIALS: HORIZONTAL SIDING & WOOD SHAKE, RUBBLE STONE BASE.

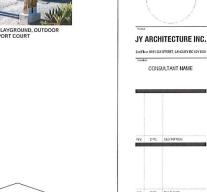


3 STOREY TOWNHOUSE DEVELOPMENT MATERIALS: BOARD & BATTEN, HORIZONTAL SIDING & SHAKES



CONTEMPORARY STYLE 2 STOREY TOWNHOUSE DEVELOPMENT MATERIALS: CEMENT BOARD SIDING & PANEL, STACKED STONE & 'CEDAR LIKE' ACCENT







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PINE CREEK - 23 TOWNHOMES

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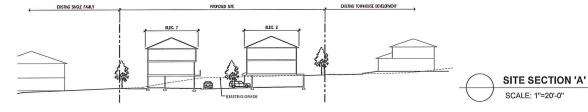
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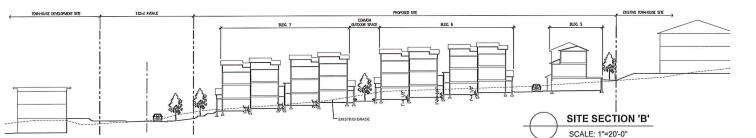
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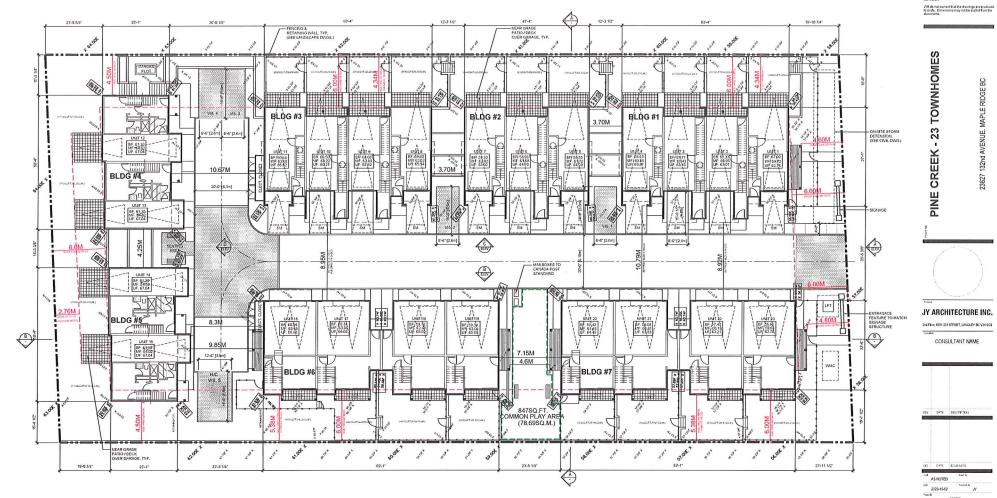
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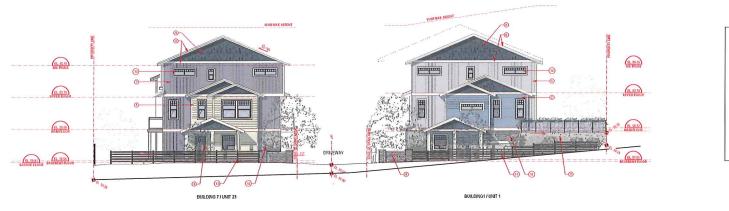




SITE PLAN

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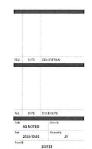
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23627 132nd AVENUE. MAPLE RIDGE BC

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PINE CREEK - 23 TOWNHOMES

2nd Floor, 6661 201 STREET, LANCLEY BC VZY 6GA (to be CONSULTANT NAME



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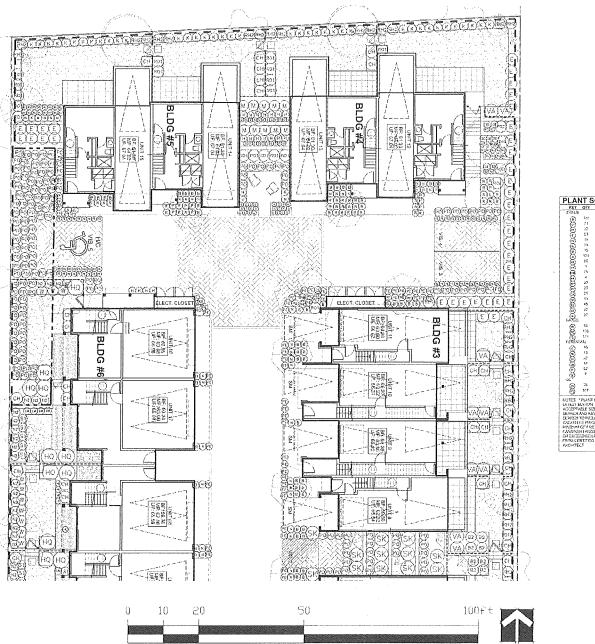
LANDSCAPE ARCHITECTS Suite C100 - 4165 Still Creek Drive Burnsby, British Columbia, VSC 609 p: 604 294-0011 : f. 604 294-0022

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18-178

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JY ARCHITECTURE INC.

2nd Floor, 8661 201 St. Langley BC V2Y 0G9 t: 604 493 2001 e: contact@JYarch.com www.JYarch.com

Jinyong Yum Principal

Architect AIBC, LEED BD+C t: 604 493 2001 ext.700 e: jyum@JYarch.com

October 2nd, 2020

Re: Advisory Design Panel comments

Ms. Wendy Cooper Planner, Planning Department City of Maple Ridge 11995 Haney Place Maple Ridge, BC V2X 6A9

Dear Ms. Cooper

The followings are our responses to the ADP's comments received July 28, 2020:

Architectural Comments:

- Consider removing the parking space between Units 19 & 20 to ease entry into units the development only requires 5 visitor parking stalls, not 6 as currently provided;
 - HC parking is relocated to btw Building 5 & 6, and a bigger play area provided.
- Consider including more double garages;
 - Understanding the intent of providing more double garages, Building #1, #2 & #3 provides affordable units and an extended driveway compatible with a typical parking space. The additional parking space will give the units flexible options and keep the cars away from the street and driveway.

Consider relocating the stairs for Building 4/5, Units 12/15 to add more light;

Due to providing access to the garage, it is not feasible to relocate the stairs. However, the large windows (8ft x 5ft) at the living room and bedrooms and small windows at the stair wall will bring an adequate amount of the natural light.

 The elevations of the building could benefit from more rigor put into an overall architectural theme, character and detail consistency, especially the units that face 132nd Ave;

 Overall, building elevation is revised. The consistency of using materials and their hierarchy has been established. The building elevation facing 132nd Avenue is also revisited to express simple yet interesting variations per unit types.

JY ARCHITECTURE INC. 2nd Floor, 8661 201 St. Langley BC V2Y 0G9 t: 604 493 2001 e: contact@JYarch.com www.JYarch.com

> Jinyong Yum Principal Architect AIBC, LEED BD+C t: 604 493 2001 ext.700 e: jyum@JYarch.com

- Improve the relationship between the units, the open space and the livability of the development and creating place-making;
 - ⁻ Fence and landscape screen provided between units. See landscape plans.
 - The parking space between building #6 and #7 has been deleted, and the main useable open space is enlarged with a relocated mailbox.
 - Visitor parking spaces are relocated to btw Building 1 & 2 & 3 and created new amenity area at btw Building 5 & 4.

Consider a more prominent site entry;

The building signage with a stone cladding fence wall defines entry corners. LPT & WMC are relocated to the further side of the entry area.

- Information pertaining to material selections was not provided to the Advisory Design Panel prior to the meeting.
 - A revised material board is provided.
- Elevations pertaining to the neighbouring properties were not available. Site renderings and additional cross-sections with neighbouring context need to be provided.
 - See attached architectural contact drawings.
- Side entries can be challenging for visitors, look at wayfinding opportunities and ensure the unit numbers are well marked.
- Enlarged unit number signages are proposed at the consistent location of each units. Backlit lights are provided for night time.

Should you have any questions or require further clarification, feel free to contact me (604) 493-2001 at your convenience.

Sincerely, **JY Architecture Inc.**

Per:

Jinyong Yum, Architect-AIBC, LEED BD+C Principal



Suite C100 - 4185 Still Creek Drive Burnaby, British Columbia, V5C 6G9 p: 604 294-0011 ; f: 604 294-0022

October 01, 2020

Re: ADP Comments R/2020-018 PMG File: 18-178

The following are PMG's responses (red) to the ADP's comments received July 28, 2020:

Landscape Comments:

- Consider planting material around the perimeter of site for seasonality and screening during winter. Provide consistent perimeter planting including in the amenity space; Consistent perimeter planting as screening during winter is provided.
- Recommend reviewing the location of services at the main entry and placing services away from the main entry if at all possible; For Civil to comment
- Consider the addition of a pedestrian entry into the site; A pedestrian entry is added.
- The tree next to the water meter chamber requires structural soil; The tree is relocated where has enough topsoil.
- Provide screening material between the rear yards of units (ie. solid fence or planting screen); Planting is provided as screen between the rear yards
- Review the relationship of Buildings 1, 2, and 3 with the adjacent lot. Modify the fence type to increase visibility and to reduce the impact to the street and neighbouring properties; Fence design is reviewed and revised. Please see L6 & L7.
- Provide details of retaining walls and other landscape materials. Ensure wall materials have long term durability;
 - The details are added. Please see L8 & L9.
- Ensure universal access to all common amenity spaces. Ensure access does not go through private entry to units;
- The private entry to units is separated from common amenity spaces by fence and gate.
 Consider putting stairs near Unit 11 and Unit 16 for maintenance entrance;
- Consider putting stars hear Onit in and Onit to for maintenance entrance, Considered. A maintenance entrance is added for Unit 16. Unit 11 has limited space to accommodate the stairs for 2.3 meters elevation change.
- Evaluate potential for usability of Unit 16 amenity space in coordination with project arborist; A note saying <u>Arborist to be onsite during any construction...within the tree protection zone</u> is added on Landscape drawing L1.
- Side entries can be challenging for visitors, look at wayfinding opportunities and ensure the unit numbers are well marked; and For Architect to comment
- Consider material changes through the lane and markings to encourage pedestrian use and social gathering.



Considered. The potential social gathering area is the lane on the north side (run through eastwest direction). Since there is limited traffic on the lane, we considered the lane is safe and suitable for pedestrian to use.

Should you have any questions or require further clarification, feel free to contact me (604) 294-0011 at your convenience.

Yours truly, Yiwen Ruan, MBCSLA Landscape Architect **PMG Landscape Architects Ltd.**



City of Maple Ridge

TO: FROM:	His Worship Mayor Michael Morden and Members of Council Chief Administrative Officer	MEETING DATE: FILE NO: ATTN:	February 2, 2021 2020-031-RZ C o W
SUBJECT:	Second Reading Zone Amending Bylaw No. 7629-2020 Vape Retail Prohibition);	

EXECUTIVE SUMMARY:

At the Council meeting of September 29, 2020, Council gave First Reading to a bylaw aimed at prohibiting vape retail stores in the Community. The resolution read as follows:

That Zone Amending Bylaw 7629-2020 be given first reading (2020-031-RZ – to prohibit further proposals for vape retail as principal uses).

Council identified a number of concerns in their consideration and emphasized the need for consultation to collect input from local stakeholders, with a specific focus on five separate stakeholders as outlined below, in the report.

In addition to the increased regulations a bylaw amendment would create, Council expressed broader concerns about impacts of vaping on youth, and about the effect opaque storefronts could have on the vibrancy of the Town Centre.

Council concurred with the recommendation in their decision to give the application First Reading. It was understood at the time that this step would be followed by the consultation process as directed by Council. The input received from this consultation would assist in drafting the Second Reading report prior to Public Hearing.

The five stakeholder groups identified by Council were contacted by phone and email. To date, only one response was received, which generally concurred with Council's recommendation. On this basis, it is recommended that this application be given Second Reading and be forwarded to Public Hearing.

It should be noted that this bylaw amendment will not result in a general prohibition of vaping products being sold within the community. Existing vape retail outlets will continue to have legal non-conforming status with the adoption of this bylaw. In addition, retail stores within the community that are licensed to sell tobacco products as an accessory use will also be able to sell vaping products.

RECOMMENDATION:

That Zone Amending Bylaw No. 7629-2020 as amended, be given Second Reading and be forwarded to Public Hearing.

a) Background / Project Description:

This report and Zone Amending Bylaw 7629-2020 advances Council direction given at the May 26, 2020 Council Workshop, and the September 29, 2020 Council Meeting to prohibit vape retail.

b) Planning Analysis:

Official Community Plan / Stakeholder Input

Due to the need to adhere to Municipal, Provincial and Federal regulations, the business operating requirements of vape retail outlets pose a conflict with many of the objectives of the Town Centre Area Plan. Product displays cannot be visible to youth, which has implications for the kind of street presence and pedestrian appeal these outlets can have. Council noted these concerns, and recognized the need for collaboration and consultation with the merchants in Town Centre in order to more fully realize the objectives of the Town Centre Area Plan.

The first reading report committed to preparing and circulating communications material to the following local stakeholder groups:

- Maple Ridge Economic Advisory Committee
- Business Improvement Area
- School District 42
- Chamber of Commerce

At Council's request, the Fraser Health Authority was also included in this list. All of these groups were contacted by phone and a follow-up email. The communications materials included the First Reading report and the May 26, 2020 Council Workshop report with the four options that had been considered by Council:

- Option 1. No change to existing bylaws.
- Option 2. Separation requirements between vaping retail outlets.
- Option 3. Prohibition within the Town Centre.
- Option 4. Prohibition against further vape retail outlets within Maple Ridge. (*This is the option that was chosen by Council*)

Of all the groups contacted, only one response was received from the chair of the Maple Ridge Economic Advisory Committee (EAC) who provided the following comment:

"Option 4. (community wide prohibition) is not a smart option as it might allow for a larger competitor to eventually buy out the weaker stores and could ultimately end up with a monopoly on Vape products conveniently located in our higher foot traffic town centre."

This response concurred with the direction of prohibition in the Town Centre, but was not in favour of total prohibition within the community. The rationale for this position was stated as follows:

It should be noted that the proposed bylaw will only prohibit vape retail as a principal use as any retailer licensed under provincial legislation for tobacco sales would be able to sell vaping products. For this reason, it is not clear if more concentrated ownership would be a business incentive, due to the diverse range of competitors within the community.

Zoning Bylaw:

Council directed that vaping retail outlets be prohibited in the Zoning Bylaw, and in response to Council's direction, Zone Amending Bylaw No. 7629-2020 is attached as Appendix A. The amendments proposed are as follows:

• Definitions: the following definitions will be added:

"E-cigarette" or "**Vape**" means a device that consists of a battery-powered atomizer that vaporizes in a chemical liquid containing propylene glycol or vegetable glycerine, flavourings, and other chemicals such as formaldehyde and acetone. The cartridge may or may not contain nicotine. Generic terms for these devices are Electronic Nicotine Delivery System (ENDS) or Electronic Non-Nicotine Delivery Systems (ENNDS). Includes e-hookahs, e-pipes, and e-cigars.

Vape: see e-cigarette

ENDS and ENNDS: see e-cigarette.

"Vape Retail" means a principal use retail use devoted to sales of products and devices pertaining to electronic nicotine delivery system (ENDS) or electronic non-nicotine delivery systems (ENNDS).

Prohibited Uses:

Vape Retail will be included as a prohibited principal use, in Part 4, Section 401.3, Uses of Land, Building, and Structures.

This prohibition will only apply to any new proposals for Vape Retail as principal uses. Existing Vape Retail outlets will have legal non-conforming status and will be able to exist in perpetuity. In addition, other tobacco retailers may continue to sell vaping products as accessory uses.

Zoning Bylaw 7600-2019 was adopted after First Reading of this Bylaw amendment. This Zone Amending Bylaw has been updated to reflect this change.

c) Intergovernmental Issues:

There are a range of concerns around vaping, at all levels of government. Changes to the Tobacco and Vapour Products Control Regulation now ban advertising of vapour products in places where youth can access, hear or see advertisements, such as bus shelters or community parks. They also restrict the sale of flavoured vapour products, which are attractive to youth, to adult-only shops.

Changes made under Provincial legislation include the new E-Substances Regulation, under the Public Health Act, which sets limits on the amount of nicotine in vapour pods and liquid, along with plain package requirements that include health warnings. All retailers are prohibited from selling non-nicotine or nicotine-cannabis blended vapour products.

Initiatives aimed at public education are also underway at the Provincial level. A provincial youth advisory council launched in September 2020, as a partnership between the ministries of Education and Health. It is likely that the pandemic has delayed these initiatives to some extent.

d) Citizen/Customer Implications:

As noted earlier in this report, Council identified five local stakeholder groups that have been contacted with one response received. The required public hearing will provide further opportunities to the broader community for input.

e) Interdepartmental Implications:

As noted in the first reading report, the Bylaw and Licensing Services Department, Community Social Safety Initiative Division was contacted for their input, which included a broad policy overview of opaque window treatments in Commercial developments. It was noted that natural surveillance and safety promotion is best accommodated with high visibility through the use of transparent glass and open spaces. Furthermore, it was noted, opaque storefronts can facilitate clandestine activities, such as sales to minors, or the sale of illegal substances.

These concerns are consistent with Council comments and provide additional reasons for promoting higher visibility in commercial areas.

f) Alternatives:

This Second Reading report follows Council direction through the initial Workshop report of May 26, 2020, to the first reading report, with Council giving First Reading to the prohibition bylaw on September 29, 2020. As with all applications, however, Council may wish to revise their resolution prior to second reading.

CONCLUSION:

This bylaw amendment both defines and prohibits vape retail in the Zoning Bylaw. It is consistent with the direction given by Council at the May 26, 2020 Council Workshop. For this reason, if Council concurs with the amendments proposed within the report, it is recommended that the Zone Amending Bylaw be given Second Reading.

"Original signed by Diana Hall"				
Prepared by:	Diana Hall, M.A., MCIP, RPP			
	Planner 2			

<u>"Original signed by Chuck Goddard"</u> Reviewed by: Charles R. Goddard, BA, MA Director of Planning

"Original signed by Christine Carter"

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

"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

The following appendices are attached hereto: Appendix A – Zone Amending Bylaw No. 7629-2020 Appendix B - May 26, 2020 Council Workshop Report

CITY OF MAPLE RIDGE BYLAW NO. 7629-2020

A Bylaw to amend the text of Maple Ridge Zoning Bylaw No. 7600-2019 as amended

WHEREAS, it is deemed expedient to amend the Maple Ridge Zoning Bylaw No. 7600-2019 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.7629-2020 Vape Retail Prohibition".
- Maple Ridge Zoning Bylaw No. 7600-2019 is hereby amended as follows:
 a) PART 2, INTERPRETATION and DEFINITIONS, Section 202, 202.1, is amended by the addition of the following definition in correct alphabetical order:

"E-cigarette" or "Vape" means a device that consists of a battery powered atomizer that vaporizes in a chemical liquid containing propylene glycol or vegetable glycerine, flavourings, and other chemicals such as formaldehyde and acetone. The cartridge may or may not contain nicotine. Generic terms for these devices are Electronic Nicotine Delivery System (ENDS) or Electronic NonNicotine Delivery Systems (ENNDS). Includes e-hookahs, e-pipes, and e-cigars.

Vape: see E-cigarette

ENDS and ENNDS: see E-cigarette.

"Vape Retail" means a principal use retail use devoted to sales of products and devices pertaining to electronic nicotine delivery system (ENDS) or electronic non-nicotine delivery systems (ENNDS).

b) PART 4, GENERAL REGULATIONS, Section 401.3, Prohibited Uses of Land, Buildings, and Structures, is amended by including as a prohibited use: (m): Vape Retail

3. Maple Ridge Zoning Bylaw No. 7600-2019 as amended is hereby amended accordingly.

READ a first time the 29th day of September, 2020.

READ a second time, as amended, the 9th day of February, 2021.

PUBLIC HEARING held the day of , 20

READ a third time the day of , 20

ADOPTED, the day of , 20

PRESIDING MEMBER



City of Maple Ridge

TO: FROM:	His Worship Mayor Michael Morden and Members of Council Chief Administrative Officer	MEETING DATE: FILE NO: ATTN:	May 26, 2020 2020-031-RZ Workshop
SUBJECT:	Vaping Retail Discussion Paper		

EXECUTIVE SUMMARY:

As part of the City of Maple Ridge 2020 Business Planning Process, the Business Plans of the Planning and Licences and Permits Departments were presented at the Special Council Meeting on November 18, 2019. One of the action items within these Plans was to review vaping industries in the context of developing Provincial legislation. A shared understanding was developing about the possibility for vaping retail outlets to have negative effects within the community. It was considered timely to establish appropriate regulations concerning this emerging use. In response to this initiative, this report discusses vaping as a relatively new technology that became regulated in Canada in 2018.

Vaping devices use an electronic mechanism to heat and vaporize organic compounds for inhalation by the device user. Generally, a nicotine solution is used in vaping devices. For this reason, a generic term for these devices is "electronic nicotine delivery systems (ENDS). The range of products that are considered ENDS include electronic cigarettes, vapes, e-hookas, e-pipes, and e-cigars.

These devices are generally considered to have fewer health impacts than cigarette smoking. Due to the recent introduction of these devices, however, their long term health impacts are not yet fully understood. A serious concern is the rapidly increasing use of these devices among youth and previous non-smokers. For this reason, recent initiatives made at federal and provincial levels seek to deter non-smokers who are at risk of starting to use these devices. These deterrents include increased taxation of vaping products, limiting access to flavoured vaping products, and further restrictions on advertising.

At the September 2019 Union of BC Municipalities (UBCM) Convention, multiple municipal representatives raised concerns about vaping, particularly for its impacts on vulnerable youth. UBCM Resolution B59 focused on limiting marketing and sales to youth. This resolution was passed as a shared local government policy position and forwarded to the Province.

In March 2020, the Vancouver Coastal Health Authority released a policy document titled "Vaping and E—Cigarettes", which included a range of options for local governments in consideration of regulating this new use. The findings of this document are discussed later in this report.

The recognition of the potentially harmful effects have prompted Federal and Provincial regulations on the advertising and exposure that vape retail outlets have within the community. The Maple Ridge Business Licencing Bylaw is consistent with these regulations in limiting the visibility of all tobacco products within the community. As a result, these vaping outlets must maintain a low profile street presence that is required in order to avoid attracting non-intentional customers and youth. However, this diminished street front presence is at odds with many of the objectives of the Town Centre Area Plan, which is to promote a welcoming, inclusive, and animated pedestrian environment in the Maple Ridge Town Centre.

These potential health impacts and these land use implications are discussed further in this report.

In their review of these issues, Council is presented with a range of options to consider, which include:

- No change to existing bylaws.
- Separation requirements between vaping retail outlets.
- Prohibiting additional vaping retail outlets within the Town Centre.
- Prohibition against further vape retail outlets.

There are four vaping retail outlets within Maple Ridge Town Centre, as indicated on Appendix A. If a Zoning Bylaw amendment is adopted that would conflict with these uses, these existing operations would become legally non-conforming and could continue operating, but would be limited in their ability to expand or relocate within the community. It should also be noted that these outlets are not the only facilities authorized to sell vaping products within the City of Maple Ridge. The authority to sell tobacco products is under Provincial jurisdiction, granted under a Tobacco Retail Authorization. Authorized retailers must purchase product from an authorized wholesaler. These wholesalers also include an inventory of vaping products. There are at least 30 outlets within Maple Ridge where vaping products are available.

RECOMMENDATION:

That staff proceed with the establishment of regulations pertaining to vaping retail outlets based on options provided in the staff report dated May 26, 2020, and titled "Vaping Retail Discussion Paper".

a) DISCUSSION:

The term "vaping" refers to a relatively new way to inhale nicotine (and other substances). The typical process involves using a device that heats and vaporizes a volatile organic solution that is then inhaled by the user. Active ingredients such as nicotine are dissolved in the organic solution. The act of inhalation triggers the device to heat the solution, allowing the active ingredients to enter the user's bloodstream.

Although vaping devices have been legal in Canada since 2018, there are concerns and uncertainties about this use. Shared medical opinions indicate that while the best health outcomes are achieved by quitting smoking cigarettes and not using vaping products, vaping has fewer health impacts compared with cigarette smoking. For this reason, vaping may be a less harmful option for smokers who are unable to quit cigarettes.

In practice, however, these devices are often not used this way, becoming instead a second option for regular cigarette smokers. The Canadian Heart and Stroke Foundation states that the most common nicotine consumption among daily vape users was a combination of conventional cigarettes and vaping. This dual use has been associated with compounded health effects significantly more serious than either method in isolation. Heart attack risks are considerably higher among dual users.

There has been a continuous decline in cigarette use since 2015, in both the Canadian and international context, as reported by the World Health Organization and Statistics Canada, due in part by targeted campaigns by public health authorities. In particular, youth were the least likely to be smokers. Statistics Canada points out that most smokers start smoking in their teenage years, and the percentage of people who have not started smoking by age 20 provides a strong indicator of future smoking rates across the population.

The increasing use of vaping devices threatens to undermine these improved public health outcomes. Marketing and promotion of vaping products appear to have successfully promulgated the perception that these devices are attractive, especially to youth. A report by the Heart and Stroke Foundation, dated October 2018 suggests that at least 23% of students have tried vaping, noting that teenagers perceive these devices as "cool" or "fun". Youth vaping in Canada increased by 74 per cent from 2017 to 2018, according to a recent study published in the British Medical Journal. The highly addictive nature of nicotine is a concern, as youth who vape are likely to become dependent on nicotine.

Vancouver Coastal Health Report

The Vancouver Coastal Health Authority released a policy document in March 2020 that pertained to the provincial and national context. The document reported the following findings:

- The incidence of vaping use was rising significantly among youth aged 16-19 from 2017 to the present.
- Testing of some vaping products claiming to be nicotine free have detected the presence of nicotine.
- The "stealth" nature of some of these products (i.e. they can resemble pens or USB sticks, and have minimally apparent vapour) can allow them to escape detection in public places or by parents. These effects are compounded by the presence of online videos demonstrating stealth techniques in using these devices, which have been successfully marketed as lifestyle product. As a result, vaping is occurring in school washrooms and even in classrooms.

Some of the information provided in this document had direct relevance to potential local government initiatives, as follows:

- Programming for youth can reduce the attraction to this use, and provide lifelong public health benefits. The youth who are least likely to vape are those who have supportive adults in their lives. The presence of social supports and community connection for youth is therefore a deterrent.
- Ensuring that e-cigarettes and vaping are defined in Local Government Bylaws.
- Establishing a wide range of smoke free and vape free areas in public spaces.
- Collaborating with health authorities in notification and enforcement measures.

The City of Maple Ridge is already undertaking some of these initiatives. To facilitate youth engagement, the Community Engagement department of the Parks, Recreation & Culture division is actively implementing the Youth Strategy, adopted by Council in 2016. Priority programming includes Wellness & Mental Health, Transitioning to Adulthood and Community Engagement.

In 2015, the Licensing and Bylaws Department updated the Maple Ridge Smoking Regulation Bylaw to include vaping and e-cigarettes.

Vaping Regulations:

Global context:

There are a range of regulatory programs around vaping internationally. The Philippines do not regulate this use, and children can purchase e-cigarettes. A large number of countries have imposed a ban on vaping, including Taiwan, Iran, Kuwait, Nepal, Palestine, Saudi Arabia, Qatar, and Thailand. While technically banned in India, they are widely available, although there has been at least one conviction for trafficking in e-cigarettes. Where there are regulations in place, a prohibition on sales to minors under the age of 18 is common.

Canadian Context:

The Tobacco and Vaping Products Act (TVPA), enacted on May 23, 2018, regulates the manufacture, sale, labelling and promotion of vaping products that do not contain cannabis. It establishes restrictions on the ingredients that may be used in vaping products, and aims to prevent the introduction of vaping products to youth and non-smoking adults. It prohibits distribution of vaping products to young persons (under 18). It restricts advertising content, including on social media.

In addition to the Tobacco and Vaping Products Act, vaping products are considered consumer products and are therefore subject to the Canada Consumer Product Safety Act (CCPSA). For consumer safety purposes, the CCPSA prohibits the manufacture, import, advertisement or sale of consumer products considered to be a "danger to human health or safety". Prohibitions in place include toxic vaping substances (i.e., those containing 66 mg/g nicotine or more). The CCPSA can order recalls and tests or studies on vaping devices and their batteries or chargers.

On December 19, 2019, Health Canada proposed additional restrictions on the promotion of vaping products, with the aim to protect youth from using vaping products. These restrictions would prohibit advertising that can be seen or heard by youth, and prohibit the display of vaping products at retail locations, including online, that can be seen by youth. The proposed regulations would also require the display of health warnings on permitted vaping advertisements.

British Columbia:

There are 3 streams of legislation that pertain to vaping and tobacco sales, including the Tobacco Tax Act, the Tobacco Tax Act Regulation, and the Tobacco and Vapour Products Control Act. The Provincial Ministry of Health is responsible for administering the federal Tobacco and Vapour Products Control Act. Out of concern for the increased use of vaping among youth, in November 2019, the Province proposed measures such as a tax hike on vaping products, a cap on nicotine content and a reduction in access to flavoured items such as bubblegum, cinnamon and vanilla. These are considered to be the toughest restrictions on vaping in the country.

Maple Ridge Context:

All tobacco retailers within BC require a Provincial Tobacco sales license and municipalities are not involved in the process of issuing these licences. As vaping retail outlets are solely focused on vaping products, they are likely to have a greater selection of vaping products available than most convenient stores could provide. However, any tobacco retailer can potentially also be selling vaping products.

Business licence information reveals that at present, there are 4 vaping retail outlets within the City of Maple Ridge, as demonstrated on Appendix A. These retail outlets have the following characteristics:

- All of these outlets are located within the Town Centre.
- They all appear to offer flavours that would likely be attractive to youth.
- One outlet did not have a website, but posted readily accessible information on their facebook page.
- One outlet had a website that required confirmation from users that they were over the age of 19.
- One outlet posted limited information on their website, encouraging prospective customers to either call or visit the store.
- One outlet had both a facebook page and a website which promoted vaping as a smoking cessation device.

Photographs of these outlets are provided in Appendix B. This information reveals these outlets have opaque window treatments to prevent visibility of the business interiors.

Land Use Implications:

All of the vaping retail outlets within Maple Ridge are within the Town Centre, are designated Town Centre Commercial, and therefore subject to the Town Centre Area Plan policies and objectives for that land use designation. These policy objectives emphasize a vibrant pedestrian street presence, in recognition that the Maple Ridge Town Centre is an especially significant area for the community. Section 3.3 of the Maple Ridge Town Centre Area Plan provides a description of the Town Centre Commercial Land Use designation, as follows:

Most of the Town Centre Central Business District is designated Town Centre Commercial with the intent to create a compact and vibrant commercial area that is pedestrian oriented.

The practical measures to achieve this objective include requiring ground level commercial uses in key commercial area, such as the Central Business District. Other more specific measures are outlined in the Town Centre Development Permit Guidelines. Under these guidelines, the Town Centre is separated into specific precincts, Two of the existing vape retail outlets are located within the Civic Core, and the other two are located in the Downtown West Precinct. Both of these designations emphasize the public realm, through initiatives such as streetscape enhancements. Desirable commercial enterprises in these precincts are those with a prominent street presence, such as cafes, and boutique style shopping. The Civic Core precinct is additionally recognized as the cultural hub of the community, with a greater emphasis on civic amenities such as the Leisure Centre and the Maple Ridge Arts Centre.

Due to the need to adhere to municipal, provincial and federal regulations, the business operating requirements of vape retail outlets pose a conflict with many of the objectives of the Town Centre Area Plan. Product displays cannot be visible to youth, which has implications for the kind of street presence these outlets can have.

The Maple Ridge Business Licensing Bylaw 6815-2011 recognizes vaping retail as a form of tobacco sales, and outline the following regulations:

7.27 Tobacco Sales

- 7.27.1 No person carrying on the Business of Tobacco sales shall:
 - (a) sell Tobacco or Tobacco Products unless the Business is licensed by the Province to sell such products;

- (b) permit Tobacco or Tobacco Products to be displayed in the Retail Business Premises so that the Tobacco or Tobacco Products are visible to the public if young persons are permitted access to those Premises; and
- (c) sell any Tobacco or Tobacco Products to anyone under the age of nineteen (19) years old.

The limited public presence of these retail outlets is inconsistent with the objectives of the Town Centre Area Plan. The presence of a few of these retail outlets within the Town Centre would be unlikely to seriously undermine the intent of the Area Plan: however, if not prohibited, consideration should be given to limiting additional vaping outlets, particularly within the Town Centre. This consideration is explored further in the options section of this report.

Zoning Bylaw:

Currently there is no one specific use in the Zoning Bylaw defined as vape retail. The C-3 Town Centre Commercial Zone permits retail sales such as convenience stores (where cigarettes can be purchased - Vape was originally considered a replacement) and general Retail (where most products may be sold that are not considered highway commercial).

Under the current bylaw, this use would therefore be permitted wherever cigarettes may be legally sold. In addition to the C-3 Town Centre Commercial Zone, these commercial zones include C-1 Neighbourhood Commercial, C-2 Community Commercial, C-5 Village Commercial, H-1 Heritage Commercial, CRM Commercial, CS-1 Service Commercial, and the CS-2 Service Station Commercial Zones. A map showing the extent of these commercial zones is attached as Appendix C.

Options

What makes vape retail outlets unique is their sole focus on vaping products as their business model. With few exceptions, other tobacco retailers typically allocate a small portion on their retail space for this purpose, in addition to groceries or convenience items. As a result, tobacco products have a low profile in these settings.

In light of the information noted earlier in this report, Council is presented with a range of options to consider, which include:

- **Option 1. No change to existing bylaws.** If Council selects this option, there will be no change to existing bylaws. As principal uses, additional vape retail outlets could locate wherever these uses are permitted.
- Option 2. Separation requirements between vaping retail outlets. If Council selects this option, Zoning Bylaw amendments will be prepared in accordance with this direction. These separation requirements could include a 1000 metre separation between principal use vape retail outlets and a further 200 metres from schools.
- **Option 3. Prohibition within the Town Centre.** If Council selects this option, bylaw amendments would be prepared to prohibit this use (as a principal use) from further locating within the Town Centre.
- **Option 4. Prohibition against further vape retail outlets within Maple Ridge.** This option would require bylaw amendments to prohibit additional vape retail outlets as principal uses within the community. The existing 4 vape retail outlets would have legal non-conforming status and could remain in operation in perpetuity.

Interdepartmental Implications:

This discussion paper was prepared in response to Council's request and in collaboration with the Licences and Bylaws Department. Any future bylaw amendments that arise from Council direction will align with the "Maple Ridge Smoking Regulation Bylaw", which was revised in 2015 to recognize "e-cigarettes."

Noting the findings of the Coastal Health Report, the role of the Parks, Recreation and Culture Department and programming for youth should be emphasized. As youth engagement was noted as a critical deterrent to youth developing lifelong destructive habits, this information has been shared with Community Engagement staff to support the continuation of their work in this area.

b) Citizen/Customer Implications:

A key issue noted for Council's consideration is the adverse impacts vaping can have within the community, particularly to vulnerable persons who may begin to use nicotine products, or suffer health impacts caused by vaping devices. Although the long term health impacts of this new technology is unknown, prevailing medical opinion is that there may be negative public health consequences with vaping use. These considerations have been discussed by the Maple Ridge Social Planning Advisory Committee (SPAC), a citizen's advisory group that has been appointed by Council. In April 2019, Council endorsed SPAC's work plan including the following:

• **Chronic Disease Education:** Highlighting the Healthier Community Partnership priorities, this workshop will focus on the effects and prevention of chronic disease caused by food insecurity and unhealthy eating, lack of physical activity, binge drinking (youth specific), screen time and tobacco (vaping) use.

Vaping prevention and awareness is a focus of SPAC, The Youth Planning Table, The Maple Ridge, Pitt Meadows, Katzie Community Network (CN) and the Healthier Community Partnership.

The land use implications of this use should also be considered, and Council may wish to use this opportunity to direct that specific bylaw amendments be made in response to this information.

CONCLUSION:

This report provides a snapshot of vaping as it exists in the provincial context, exploring recent documents on the matter. The concerns raised in this report are relevant to public health generally, particularly to youth, which is consistent with the policy direction stated at the 2019 Convention of the Union of BC Municipalities. It is understood that this issue is critical because smoking and vaping are most likely to become lifelong habits if started in the teenage years.

The implications of vape retail as a principal land use issue are also discussed. This issue is significant within Maple Ridge, as all of the vape retail stores are within the Town Centre, and have the potential to undermine the intent of the Town Centre Area Plan, for a vibrant public realm. It should be noted that vaping products are widely available, through on-line sales, the 4 vaping retail outlets already in existence, and also with the accessory tobacco retail uses in grocery and convenience stores. These existing options are likely sufficient to satisfy consumer demand.

This report presents the implications of this use within the City of Maple Ridge, noting the shared role that municipal departments have in the regulation of vaping and the promotion of community health.

"Original signed by Chuck Goddard" for

Prepared by: Diana Hall, MA, MCIP, RPP Planner 2

"Original signed by Chuck Goddard"

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

"Original signed by Christine Carter"

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

"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

The following appendices are attached hereto:

Appendix A – Map showing location of Vape retail outlets within the City of Maple Ridge

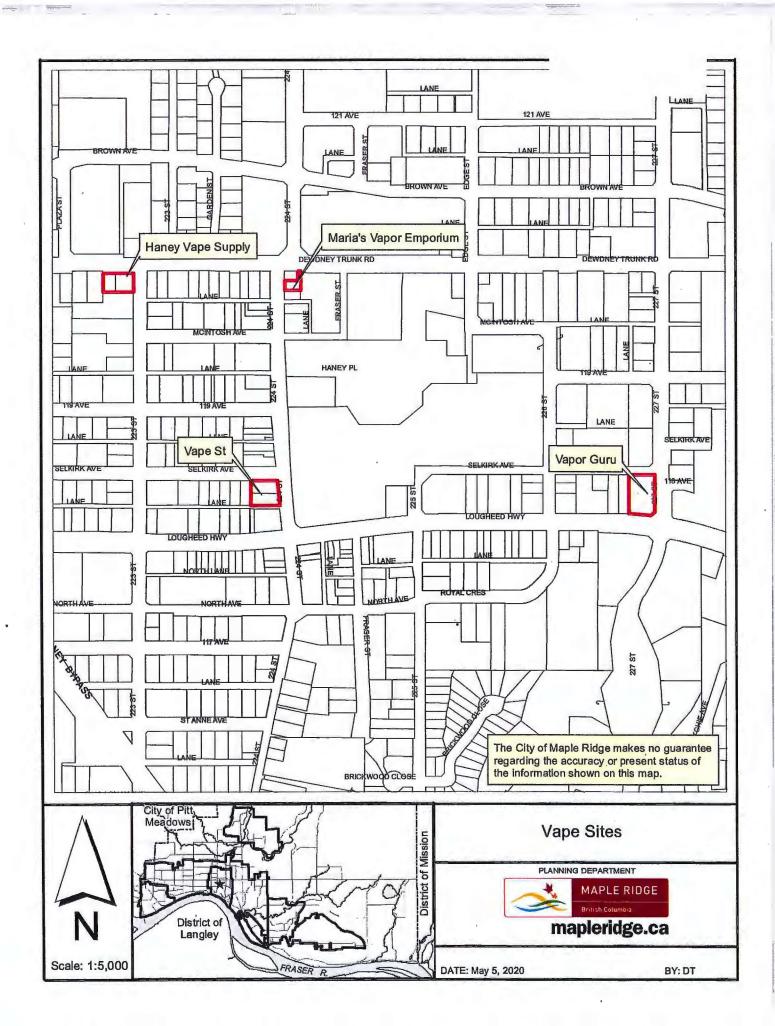
Appendix B – Photographs of existing Vape retail storefronts within the City of Maple Ridge

Appendix C – Map of Commercially zoned sites where vape retail could occur

Links –

Vancouver Coastal Health Policy Report "Vaping and E-Cigarettes", March 2020. <u>https://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Healthy~Communities/Vaping%20and</u> <u>%20E-Cigarettes%202020%20Discussion%20Paper.pdf</u>

Heart and Stroke Foundation "e-cigarettes in Canada", October 2018. <u>https://www.heartandstroke.ca/-/media/pdf-files/position-</u> <u>statements/ecigarettesincanada.ashx?la=en&hash=8939FF52C37A5E11C551176982F2E4AC5D3</u> <u>8D605</u>





City of Maple Ridge

TO:	His Worship Mayor Michael Morden	MEETING DATE:	February 16, 2021
	and Members of Council	FILE NO:	2021-032-AL
FROM:	Chief Administrative Officer	MEETING:	CoW
SUBJECT:	Application for Exclusion from the Agricultural Land Reserve; (Golden Ears Way) Plan NWP63218, District Lot 280, Group 1, New Westminster Land District, DEDICATED PARK & 63221		

EXECUTIVE SUMMARY:

This application is to exclude an 8.5 hectare (21 acres) parcel from the Agricultural Land Reserve (ALR). The property has been previously recommended for exclusion by the Agricultural Land Commission (ALC) under ALC resolution 2635/2011, along with several other properties. These properties, identified as "remnant parcels" are considered unsuitable for agriculture for a number of reasons. In this case, the subject property is within the Urban Area Boundary and is designated Floodplain in the Hammond Area Plan and Conservation in the Official Community Plan.

The parcel will provide a temporary use to support Metro Vancouver in the assembly of twin sanitary forcemains (Golden Ears Forcemain and River Crossing project) that will be pulled under the Fraser River and will convey wastewater from Maple Ridge and Pitt Meadows to the upgraded Northwest Langley Wastewater Treatment Plant. Metro Vancouver will perform a tie-in to existing infrastructure just north of 113B Avenue, and will require a permanent right-of-way for this area. This is part of a long term servicing plan for regional growth management.

Council has been advised of project details as this servicing plan has developed. Metro Vancouver gave an overview presentation at the April 9, 2019 Council Workshop. Council was further updated at the October 6, 2020 Committee of the Whole Meeting. At the subsequent October 13, 2020 Council Meeting, in support of the project, Council passed the following resolution:

That a Licence Agreement between the City of Maple Ridge and the Greater Vancouver Sewerage and Drainage District to allow an emergency generator to be constructed on City property be authorized; and further

That the Corporate Officer be authorized to execute the agreement.

Upon completion of this project, up to four hectares of the site will be restored with native vegetation to enhance ecological values. Restoration of the disturbed areas will include:

- 1. Reconstruction of disturbed slough habitat and marsh wetland.
- 2. Improvement to instream habitat.
- 3. Replacement of lost riparian and upland vegetation and improvement of riparian and upland habitat.
- 4. Removal of invasive species in impacted areas and replacement with additional native species.
- 5. Monitoring and maintenance of replaced vegetation.



The subject property, due to its size, geometry, and location, is essential for the installation of this critical piece of infrastructure. The alignment was selected with careful consideration of environmental impacts, constructability, proximity to adjacent infrastructure, property requirements, as well as the need to tie-into existing Metro Vancouver infrastructure near 113B Avenue. The construction methodology requires the pre-assembly of the full length of the river crossing, and the identified corridor and temporary working space north of 113B Avenue is the only option to accomplish this.

Although this site is necessary for the reasons discussed above, other options exist to facilitate this proposal on the site that would not require exclusion from the ALR. These options are discussed further in the Alternatives section of this report. The rationale for proceeding with the exclusion is due to the consistency with the direction of ALC to remove this property from the ALR.

The ALC has outlined a new process for processing exclusion applications, which became effective September 29, 2020. This process includes the requirement of first hosting a Public Hearing prior to passing a Council resolution of concurrence for forwarding the application to the ALC. To comply with this new process, the staff recommendation is to forward this application to Public Hearing. The next steps will be to forward to the Commission, upon receipt of input from the Public Hearing.

RECOMMENDATION:

That application 2021-032-AL be forwarded to Public Hearing.

DISCUSSION:

a) Background Context:

Applicant:	City of Maple Ridge
Legal Description:	D.L. 280, Plan NWP63218
OCP : Existing: Proposed: Zoning: Existing: Proposed:	Conservation No Change RS-3 (Single Detached Rural Residential) No Change

Surrounding Uses

North:	Use: Zone:	Vacant (owned by Translink) CS-1 (Service Commercial)
	Designation	Commercial
South:	Use:	Vacant (owned by Transportation Authority)
	Zone:	RS-3 (Single Detached Rural Residential)
	Designation:	Maple Meadows Business Park
East:	Use:	Business Park
	Zone:	M-3 (Business Park Industrial)
	Designation:	Maple Meadows Business Park
West:	Use:	Pitt Meadows

Existing Use of Property: Proposed Use of Property:

Vacant Temporary Infrastructure construction followed by ecological restoration. 8.5 hectares

Site Area:

b) Project Description:

The Northwest Langley Wastewater Treatment Plant in the Township of Langley, which currently serves 30,000 people in Langley, will be expanded on the same site to serve 230,000 people, including residents and businesses in Maple Ridge and Pitt Meadows across the Fraser River. Untreated wastewater from Maple Ridge and Pitt Meadows currently flows to the Annacis Island Wastewater Treatment Plant in the City of Delta. To divert flows to Northwest Langley Wastewater Treatment Plant, a new pump station is required north of the Fraser River, along with two pipes under the river connecting the pump station in Maple Ridge to the treatment plant. This upgrade has been phased over several years and will be constructed through four projects:

- Pump Station and Storage Tank: a new pump station and storage tank in Maple Ridge near Golden Ears Way and 113B Avenue. Construction is currently underway on the north side of the Fraser River.
- Golden Ears Forcemain and River Crossing: two new pipes tunneled under the Fraser River to carry wastewater from the new pump station in Maple Ridge to the treatment plant in the Township of Langley.
- Northwest Langley Wastewater Treatment Plant Expansion: expansion of the existing wastewater treatment plant in the Township of Langley.
- Outfall Pipe: a new outfall pipe to carry treated wastewater from the plant to the Fraser River.

The Golden Ears Forcemain and River Crossing is the second of four Northwest Langley Wastewater Treatment Projects. Construction will take place from summer 2021 to late 2022.

Two new pipes will be constructed under the Fraser River and will carry wastewater from the new pump station in the City of Maple Ridge to the treatment plant in the Township of Langley. The pipes will be installed beneath the riverbed by trenchless methods to avoid impacts to the river. On-land construction will include sections of open-cut work, as well as trenchless construction methods to go underneath roadways.

The new pipes will increase the capacity of this existing system to help ensure the continued, reliable, and safe management of liquid waste in our growing region, and will be designed to meet current seismic standards.

c) Planning Analysis:

The subject property is identified as floodplain in the Hammond Area Plan, and is recognized for its role in managing rainwater runoff and mitigating flood hazards. Appendix B shows the site as an environmentally sensitive wetland area that is also traversed by multiple watercourses.

As an enhanced natural area, the site can help to slow and infiltrate rainwater to improve water quality, slow volume during peak events, and reduce pressure on nearby floodplain pump stations. The Hammond Area Plan notes that future considerations for these floodplain areas will be to combine this integral function of flood event mitigation with improved greenspace and ecological diversity.

The exclusion of this property could assist in the future planning of the site, as it will give the City of Maple Ridge greater jurisdiction over its development.

d) Intergovernmental Issues:

In 2011, the ALC identified the subject property as one of several parcels as appropriate for exclusion under ALC Resolution 2635/2011, made on October 27, 2011. This resolution invited the City to submit a local government application for exclusion for these remnant areas "identified by the Commission as being unsuitable for agriculture". This direction from the Commission stems from their interest in maintaining an ALR that accurately reflects agricultural capability and suitability of properties contained within it. The expectation of the ALC was that these parcels would be excluded as a group application along with the exclusion of the Albion Flats, but the ALC also supported individual applications.

The previous use of the subject property as passively maintained floodplain provided little incentive to exclude it from the ALR. This recent interest in the property is due to this collaboration between Metro Vancouver and the City of Maple Ridge in support of the long term servicing plan. The steps taken in advancing this application have been directed by the ALC. Under the Commission's new process, landowner applications for exclusion have been eliminated. All applications for exclusion from the ALR must now be initiated by a local government. As part of this process, local governments are required to hold a public hearing prior to forwarding the application to the Commission.

This is the first exclusion application within the City of Maple Ridge under the Commission's new process.

e) Environmental Implications:

The use of this land proposed by Metro Vancouver will be temporary in nature, with the exception of the short segment which will tie into existing Metro Vancouver infrastructure (See attachment C) The land allocated for temporary working space will be returned to its existing condition with the added benefit of additional riparian planting and associated reduction of invasive plant species, specifically reed canary grass. The restored areas will be monitored and maintained for a five-year period post-construction to ensure high survival and full restoration of all affected areas. The location of the permanent right-of-way, will be restored with gravel to provide access to the sewer for preventative maintenance.

The Golden Ears Forcemain and River Crossing project has developed a comprehensive restoration plan for the project. The restoration plan includes a planting prescription of native riparian shrubs and trees specific to the environmental characteristics of this area. All areas disturbed by this temporary use will be planted to the densities specified in the restoration plan. To offset the temporary disturbance, an additional area equal to 20 percent of the total disturbance will also be planted. Additional offset areas for disturbances required south of 113B Avenue will also be completed on the parcel in question for ALR exclusion, and all planting will be in-line with the restoration objectives of the City of Maple Ridge.

f) Citizen/Customer Implications:

Metro Vancouver has engaged City of Maple Ridge elected officials, staff, residents, and businesses on the Northwest Langley Wastewater Treatment Projects since 2017. Available information on the Golden Ears Force Main and River Crossing Project was provided when the projects were first introduced and at all subsequent meetings and public events. On September 27, 2017, a public open house was held at Hammond Elementary School to introduce the projects and identify interests. Participants supported horizontal directional drilling for the river crossing and had no comments regarding the on-land alignment.

Metro Vancouver commenced a virtual open house on January 27, 2021 detailing the Golden Ears Force Main and River Crossing Project. This virtual open house will be followed with opportunities for public feedback in a two week comment period. Metro Vancouver would be pleased to share that feedback at the public hearing, as appropriate. Metro Vancouver has worked closely with Katzie First Nation, the City of Pitt Meadows, and the Township of Langley on project definition and design.

Notification requirements for the exclusion application will be met jointly by Metro Vancouver and the City of Maple Ridge. Metro Vancouver will install the sign and provide information to those seeking information about the project. If directed by Council, the City of Maple Ridge will be hosting the Public Hearing and the newspaper advertisements.

g) Next Steps:

The ALC exclusion process is outlined in the Exclusion Application Guide published August 6, 2020. The process involves Metro Vancouver as the authorized agent applying as the local government by filling out details of the project via the ALC application portal. The application process requires details on the location, legal address, area, current use, and purpose of exclusion of the parcel, along with supporting documentations. It also requires evidence of public notice of application, a public hearing, and to provide a local government resolution. ALC has provided clarification that while Metro Vancouver can apply as authorized agent, the City of Maple is responsible to hold the public hearing and pass the Council Resolution.

Upon review of the information received at public hearing, at their subsequent Council meeting, Council will consider the feedback before passing the resolution. Upon receipt of a favorable recommendation, Metro Vancouver will forward the exclusion application to the ALC for approval. As this site has been previously identified by the Commission as suitable for exclusion, an expedited response to this application is anticipated

h) Alternatives:

As noted earlier in this report, the use of this site is critical to the successful completion of this project. Metro Vancouver has issued an RFP for construction and is expected to begin work in July 2021. The project is on a critical path, for all of the Northwest Langley Treatment Projects, valued at \$1.3B. Delays to the Golden Ears Forcemain Project will result in additional costs to Metro Vancouver.

The alignment within the ALR was selected with careful consideration of environmental impacts, constructability, proximity to adjacent infrastructure, property requirements and the requirement to connect to existing infrastructure. The construction methodology requires the pre-assembly of the full length of the river crossing, and the identified corridor and temporary working space north of 1138 Avenue is the only option to accomplish this.

The exclusion of this site from the ALR is not the only option for this purpose. Alternatives exist, such as a Non-Farm Use application, or a possible exemption due to the temporary use of the site. Given the circumstances however, exclusion is the best option, as the ALC does not consider an agricultural future for the site, and sees little benefit for retaining it within the ALR.

CONCLUSION:

This application for exclusion from the ALR is a collaboration between the City of Maple Ridge and Metro Vancouver to advance an infrastructure development project. The site has been identified by the ALC for exclusion, and for this reason, the exclusion of the site is the most expedient approach to being able to use the site for this purpose.

This application will be the first exclusion application within the City of Maple Ridge under the local government initiated application process as introduced by the Commission in August 2020. Prior to being forwarded to the Commission, the local government is required to host a public hearing. For this reason, the recommendation of this report is to forward the application to public hearing.

Following public hearing, the report will be returned to Council with a request to consider forwarding the request to the ALC.

"Original signed by Diana Hall"

Prepared by: Diane Hall, BA, MA Planner 2

"Original signed by Chuck Goddard"

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

"Original signed by Christine Carter"

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

"Original signed by Al Horsman"

Concurrence: Al Horsman Chief Administrative Officer

The following appendices are attached hereto:

Appendix A – Subject Map

Appendix B – Ortho photo

Appendix C – Construction Details prepared by Applicant

