

City of Maple Ridge

# **PUBLIC HEARING**

**March 15, 2022**

CITY OF MAPLE RIDGE

PUBLIC HEARING AGENDA

March 15, 2022

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 <https://www.mapleridge.ca/640/Council-Meetings> and clicking on the meeting date.*

*This Agenda is also posted on the City's Website at: [www.mapleridge.ca/AgendaCenter](http://www.mapleridge.ca/AgendaCenter)*

1) **2020-392-RZ, 12040 248 Street**

Lot 23 Section 23 Township 12 New Westminster District Plan 15267

The subject application is to allow for the temporary storage of construction materials to facilitate construction of Phase 2 of a commercial development project at a later date.

1a) **Maple Ridge Temporary Use Permit 2020-392-RZ**

To permit for the temporary storage of a shipping container and unenclosed storage of construction material over a portion of the site for a period of up to three years.

2) **2021-531-RZ, 22486, 22488, 22489, 22490, 22496, 22497 Brickwood Close and 11649 & 11609 225 Street**

Lot 86 District Lot 398 Group 1 New Westminster District Plan 41741, PID 008-270-970;  
Lot 87 District Lot 398 Group 1 New Westminster District Plan 41741, PID 006-239-617;  
Lot 85 District Lot 398 Group 1 New Westminster District Plan 41741, PID 000-963-780;  
Lot 88 District Lot 398 Group 1 New Westminster District Plan 41741, PID 006-239-668;  
Lot 89 District Lot 398 Group 1 New Westminster District Plan 41741, PID 004-401-735;  
Lot 83 District Lot 398 Group 1 New Westminster District Plan 41741, PID 006-239-587;  
Lot 84 District Lot 398 Group 1 New Westminster District Plan 41741, PID 002-167-034; and  
Lot 90 District Lot 398 Group 1 New Westminster District Plan 41741, PID 000-550-159.

The subject application is to enact zoning regulations for properties affected by a Land Use Contract as required by the *Local Government Act*.

2a) **Maple Ridge Official Community Amending Bylaw No. 7747-2021**

To amend the Town Centre Area Plan Zoning Matrix Category Ground-Oriented Multi-Family to permit the Single Detached Residential use under the RS-1 Zone for the subject properties.

2b) **Maple Ridge Zone Amending Bylaw No. 7740-2021**

To rezone from LUC (Land Use Contract) to RS-1 (Single Detached Residential).

**3) 2021-532-RZ, 11581 256 Street**

Lot 15 Except: Part Subdivided by Plan 50607, Section 14 Township 12 New Westminster District Plan 2509

**The subject application is to enact zoning regulations for property affected by a Land Use Contract as required by the *Local Government Act*.**

**3a) Maple Ridge Official Community Plan Amending Bylaw No. 7748-2021**

To amend the Official Community Plan Zoning Matrix, Category Institutional to permit the Single Detached Residential use under the RS-3 Zone for the subject property.

**3b) Maple Ridge Zone Amending Bylaw No. 7710-2021**

To rezone from LUC (Land Use Contract) to RS-3 (Single Detached Rural Residential).

**4) 2021-533-RZ, 11698 226 Street**

Lot 23 Except: Parcel B (Explanatory Plan 16567), District Lot 401 Group 1 New Westminster District Plan 18056

**The subject application is to enact zoning regulations for property affected by a Land Use Contract as required by the *Local Government Act*.**

**4a) Maple Ridge Zone Amending Bylaw No. 7807-2021**

To create a new Comprehensive Development Zone, CD-4-21, for the use of Assisted Living Residence for the subject property and to rezone from LUC (Land Use Contract) to CD-4-21.

**5) 2021-534-RZ, 12309 240 Street**

Lot 13 Section 21 Township 12 New Westminster District Plan 51480

**The subject application is to enact zoning regulations for property affected by a Land Use Contract as required by the *Local Government Act*.**

**5a) Maple Ridge Zone Amending Bylaw No. 7809-2021**

To create a new Comprehensive Development Zone, CD-5-21, to provide for a nine-hole golf course use for the subject property and to rezone from LUC (Land Use Contract) to CD-5-21.

CITY OF MAPLE RIDGE

NOTICE OF VIRTUAL ONLINE PUBLIC HEARING

TAKE NOTICE THAT A PUBLIC HEARING is scheduled for Tuesday, March 15, 2022 at 7:00 p.m. This meeting is an online virtual meeting to be hosted in Council Chambers at City Hall, 11995 Haney Place, Maple Ridge.

For virtual online participation, access the link at: [www.mapleridge.ca/640/Council-Meetings](http://www.mapleridge.ca/640/Council-Meetings) and click on the meeting date to register.

For viewing only, access the link at <http://media.mapleridge.ca/Mediasite/Showcase> and click on the March 15, 2022 Public Hearing presentation video;

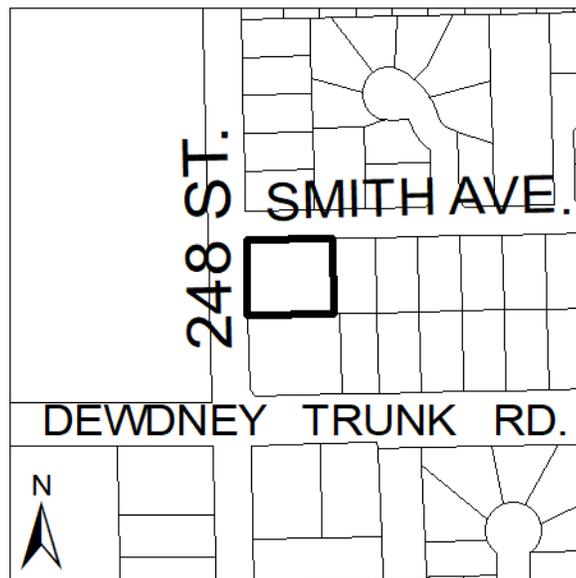
The Public Hearing Agenda and full reports are posted on the City's Website at [www.mapleridge.ca/AgendaCenter](http://www.mapleridge.ca/AgendaCenter) (see: Public Hearing).

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

- 1) **2020-392-RZ, 12040 248 Street**  
Lot 23 Section 23 Township 12 New Westminster District Plan 15267

The subject application is to allow for the temporary storage of construction materials to facilitate construction of Phase 2 of a commercial development project at a later date.

- 1a) **Maple Ridge Temporary Use Permit 2020-392-RZ**  
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Lot 86 District Lot 398 Group 1 New Westminster District Plan 41741, PID 008-270-970;  
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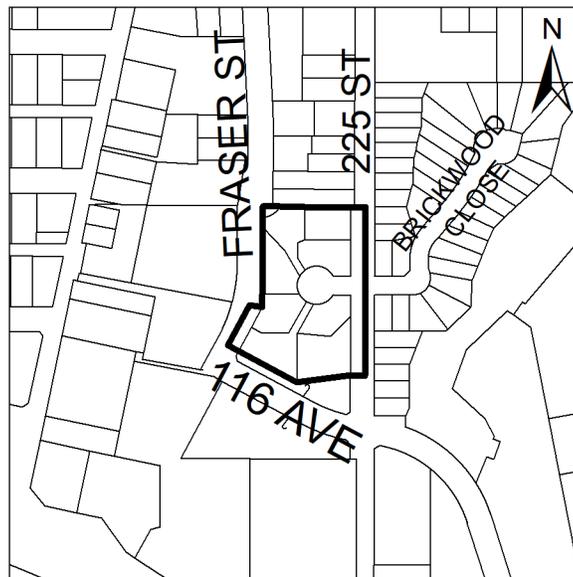
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2a) **Maple Ridge Official Community Amending Bylaw No. 7747-2021**

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3) **2021-532-RZ, 11581 256 Street**

Lot 15 Except: Part Subdivided by Plan 50607, Section 14 Township 12 New Westminster District Plan 2509

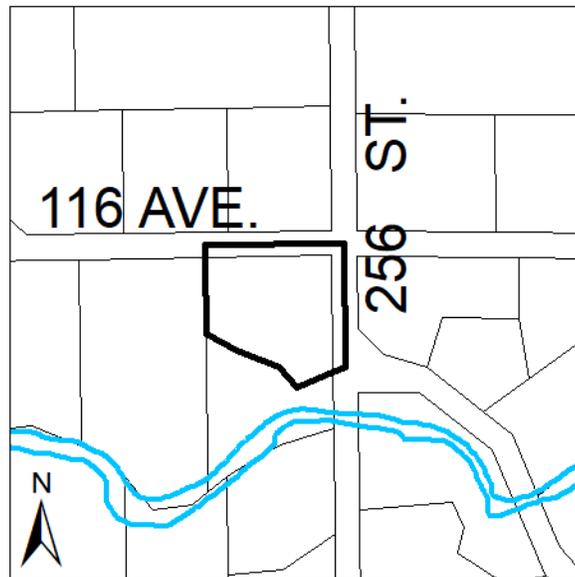
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4) **2021-533-RZ, 11698 226 Street**

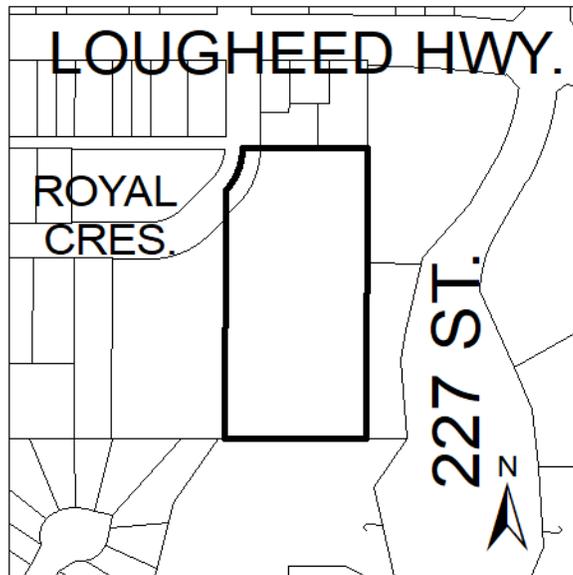
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To create a new Comprehensive Development Zone, CD-4-21, for the use of Assisted Living Residence for the subject property and to rezone from LUC (Land Use Contract) to CD-4-21.

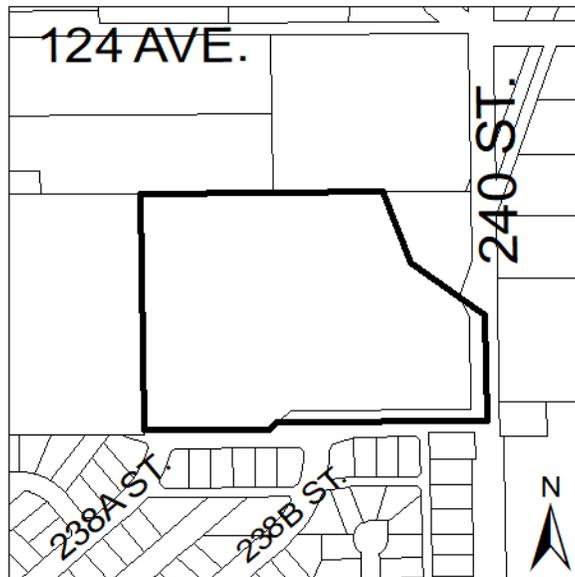


- 5) **2021-534-RZ, 12309 240 Street**  
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The subject application is to enact zoning regulations for property affected by a Land Use Contract as required by the *Local Government Act*.

- 5a) **Maple Ridge Zone Amending Bylaw No. 7809-2021**  
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**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>

It is important to ensure that our democratic processes continue to function and that the work of the City remains transparent for all citizens while mitigating risks posed by COVID-19. This 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](http://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 15, 2022 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 15, 2022 (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 [clerks@mapleridge.ca](mailto:clerks@mapleridge.ca) to the attention of the Corporate Officer, by 12:00 Noon, Tuesday, March 15, 2022 (quoting file number).**

Dated this 2<sup>nd</sup> day of March, 2022.

Stephanie Nichols  
Corporate Officer

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**MEETING DATE:** February 1, 2022  
**FILE NO:** 2020-392-RZ  
**MEETING:** C o W  
**SUBJECT:** Temporary Use Permit  
12040 248 Street

**EXECUTIVE SUMMARY:**

The current application is for a Temporary Use Permit, at the subject property located at 12040 248 Street, to allow for a temporary storage of a shipping container and unenclosed storage of construction material over a portion of the site that is zoned CS-1 (Service Commercial). The subject Temporary Use Permit will be valid for a period of three years and may be renewed once for up to an additional three years, subject to Council approval.

*Official Community Plan Amending Bylaw No. 7685-2020* was adopted on January 26, 2021, which designated the entire City of Maple Ridge as a Temporary Use Permit Area, thus removing the requirement to amend the Official Community Plan for each Temporary Use Permit application.

**RECOMMENDATIONS:**

**That the Temporary Use Permit 2020-392-RZ, respecting property located at 12040 248 Street, be forwarded to the next available Public Hearing and subsequent Council meeting for decision.**

**DISCUSSION:**

**a) Background Context:**

Applicant:	Rudy DiGiovanni
Legal Description:	Lot 23 Section 23 Township 12 New Westminster District Plan 15267
OCP:	
Existing:	Commercial
Proposed:	Commercial
Within Urban Area Boundary:	Yes
OCP Major Corridor:	Yes
Zoning:	
Existing:	CS-1 (Service Commercial)
Proposed:	CS-1 (Service Commercial)

Surrounding Uses:

North:	Use:	Single-Family Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	Estate Suburban Residential
South:	Use:	Single-Family Residential and Gas Station
	Zone:	RS-1 (Single Detached Residential) and CS-2 (Service Station Commercial)
	Designation:	Commercial and Estate Suburban Residential
East:	Use:	Single-Family Residential
	Zone:	RS-1 (Single Detached Residential)
	Designation:	Estate Suburban Residential
West:	Use:	Garibaldi Secondary School
	Zone:	P-1 (Park and School)
	Designation:	Institutional

Existing Use of Property:	Parking and Outdoor Storage
Proposed Use of Property:	Parking and Outdoor Storage
Site Area:	0.18 ha (0.45 acre)
Access:	240 Street
Servicing requirement:	Urban Standard

**b) Site Characteristics:**

The subject property is located on the east side of 248 Street, directly across from Garibaldi Secondary School (see Appendices A and B). The site is part of a larger phased commercial development that proceeded under Rezoning Application No. 2014-019-RZ, for the construction of two commercial buildings consisting of six ground level commercial units and two residential units located on the second floor (Phase 1 on Appendix C). Application No. 2014-019-RZ received final adoption from Council on January 24, 2017, and has been constructed.

The subject property is meant to facilitate development of Phase 2 of the commercial project. Due to the current COVID-19 pandemic, the applicant has put Phase 2 of their project on hold due to market uncertainties. The applicant is now seeking to store certain construction materials on site, in order to facilitate construction of Phase 2 at a later date.

**c) Project Description:**

The attached plan (Appendix C) shows that the proposal will only require a portion of the lot to house the construction materials. The storage container houses their site office furniture, first aid station, maintenance supplies and other construction equipment. In addition, there will be outdoor storage of various construction materials. A new fence with privacy screening will be installed along the entirety of the storage area, in order to properly screen the material from public view.

The Temporary Use Permit will also list the following conditions:

1. No storage of flammable materials inside the shipping container;
2. The shipping container will need to be vented;
3. Site must be well maintained in accordance with all City Bylaws;
4. The perimeter of the site must have a continuous landscape screen installed and be secured with a refundable security deposit of \$1,762.00; and

5. Upon termination of this Temporary Use Permit, the shipping container and all outdoor storage shall be removed from the site.

The current application is for a Temporary Use Permit at the subject property, to allow for the temporary storage of a shipping container and other construction material. The Temporary Use Permit will be valid for three years and may be renewed for an additional three years at Council's discretion. Thus, the Temporary Use Permit does not provide for a permanent option for the storage of construction material.

**d) Planning Analysis:**

**Zoning Bylaw:**

Under Section 402.25 of Zoning Bylaw No. 7600-2019, a shipping container is permitted during a phase of construction in progress, however, this is subject to issuance of a current valid Building Permit. As the applicant has not submitted a Building Permit application for Phase 2 of this development, they require a Temporary Use Permit to permit the shipping container to remain on site. Furthermore, the CS-1 (Service Commercial) zone only allows for an Unenclosed Storage Use provided that it is Accessory to one of the permitted Principal Uses in the Zone. The current storage of one shipping container and other construction material outdoors, does not constitute one of the permitted uses in the underlying CS-1 zone, therefore, a Temporary Use Permit is required.

**a) Citizen/Customer Implications:**

Public notification will be provided with two newspaper advertisements and notices sent to owners/occupiers of properties within 50m (164 ft.) of the subject property 14 days prior to the Public Hearing date, subject to Council endorsing the recommendation of this report.

**CONCLUSION:**

It is recommended that the Temporary Use Permit, 2020-392-RZ (see Appendix D), respecting property located at 12040 248 Street, be forwarded to Public Hearing and to the following Council Meeting for approval or denial. Staff are recommending approval of the Temporary Use Permit.

“Original signed by Rene Tardif”

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*Prepared by:* **Rene Tardif**  
**Planner 1**

“Original signed by Charles Goddard”

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

“Original signed by Christine Carter”

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

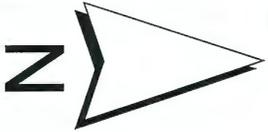
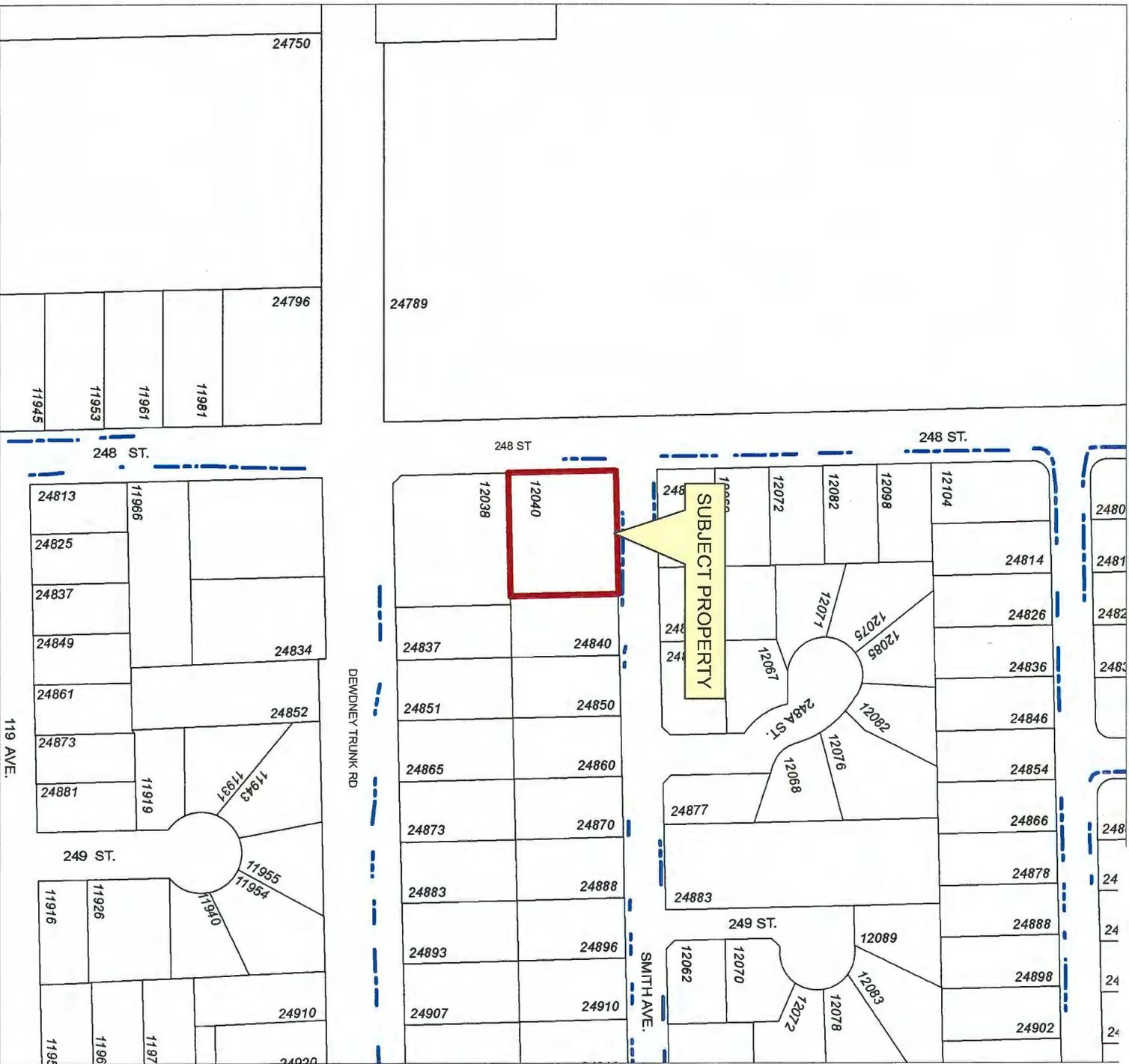
“Original signed by Scott Hartman”

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*Concurrence:* **Scott Hartman**  
**Chief Administrative Officer**

The following appendices are attached hereto:

- Appendix A – Subject Map
- Appendix B – Ortho Map
- Appendix C – Proposed Site Plan
- Appendix D – Temporary Use Permit 2020-392-RZ



Scale: 1:2,000

**Legend**

--- Ditch Centreline

**12040 248 STREET**  
**PID: 001-926-802**

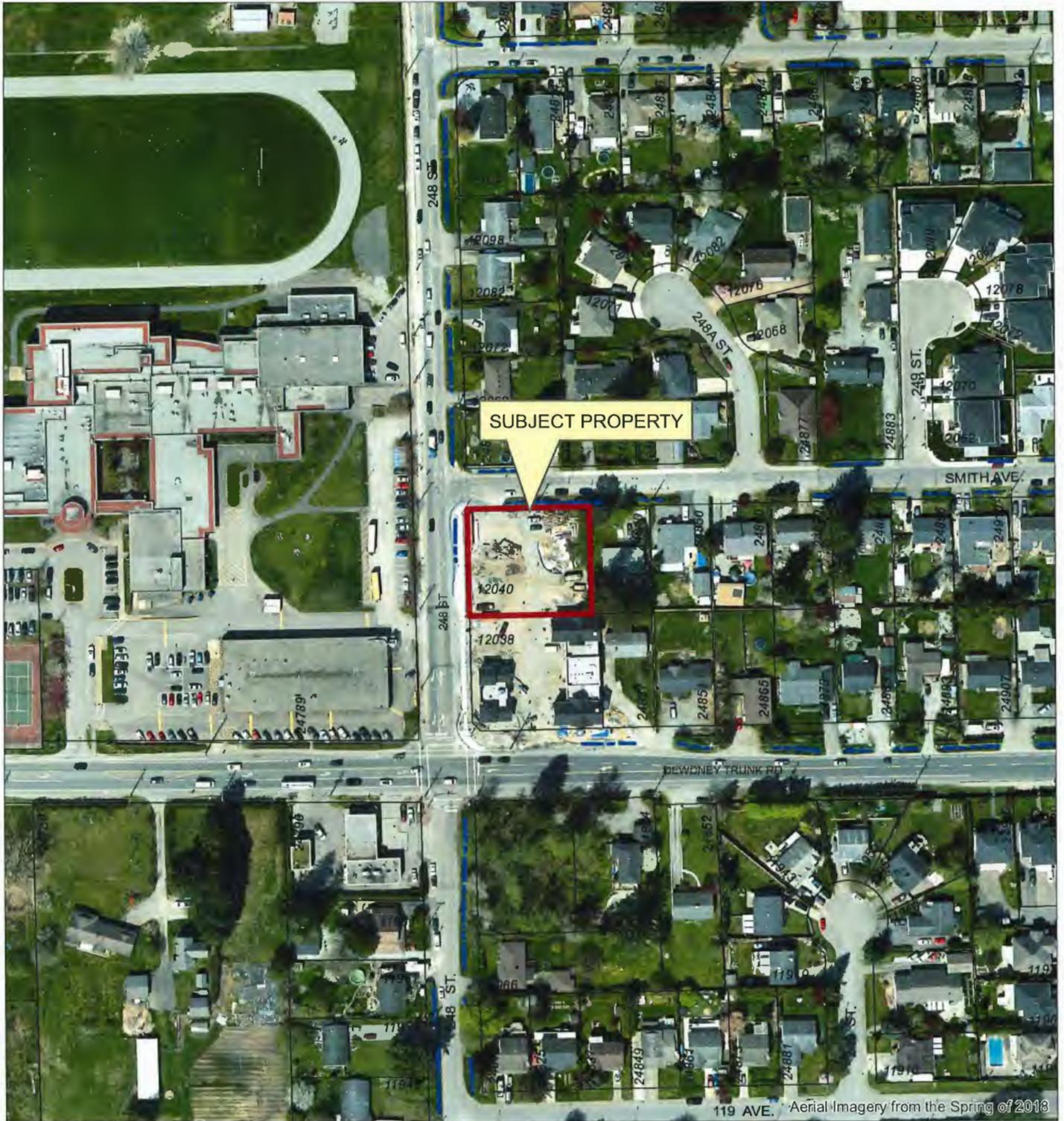
PLANNING DEPARTMENT



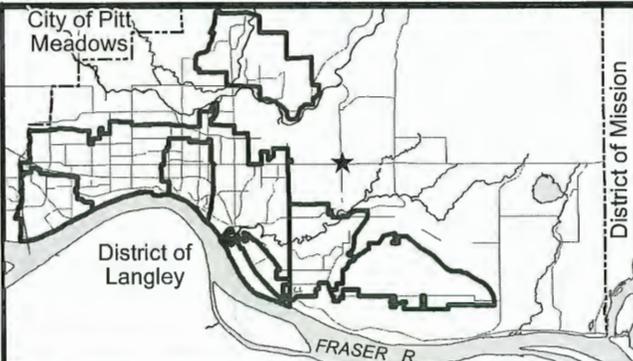
**mapleridge.ca**

FILE: 2020-392-RZ  
DATE: Nov 5, 2020

BY: PC



119 AVE. Aerial Imagery from the Spring of 2018



12040 248 STREET  
 PID: 001-926-802

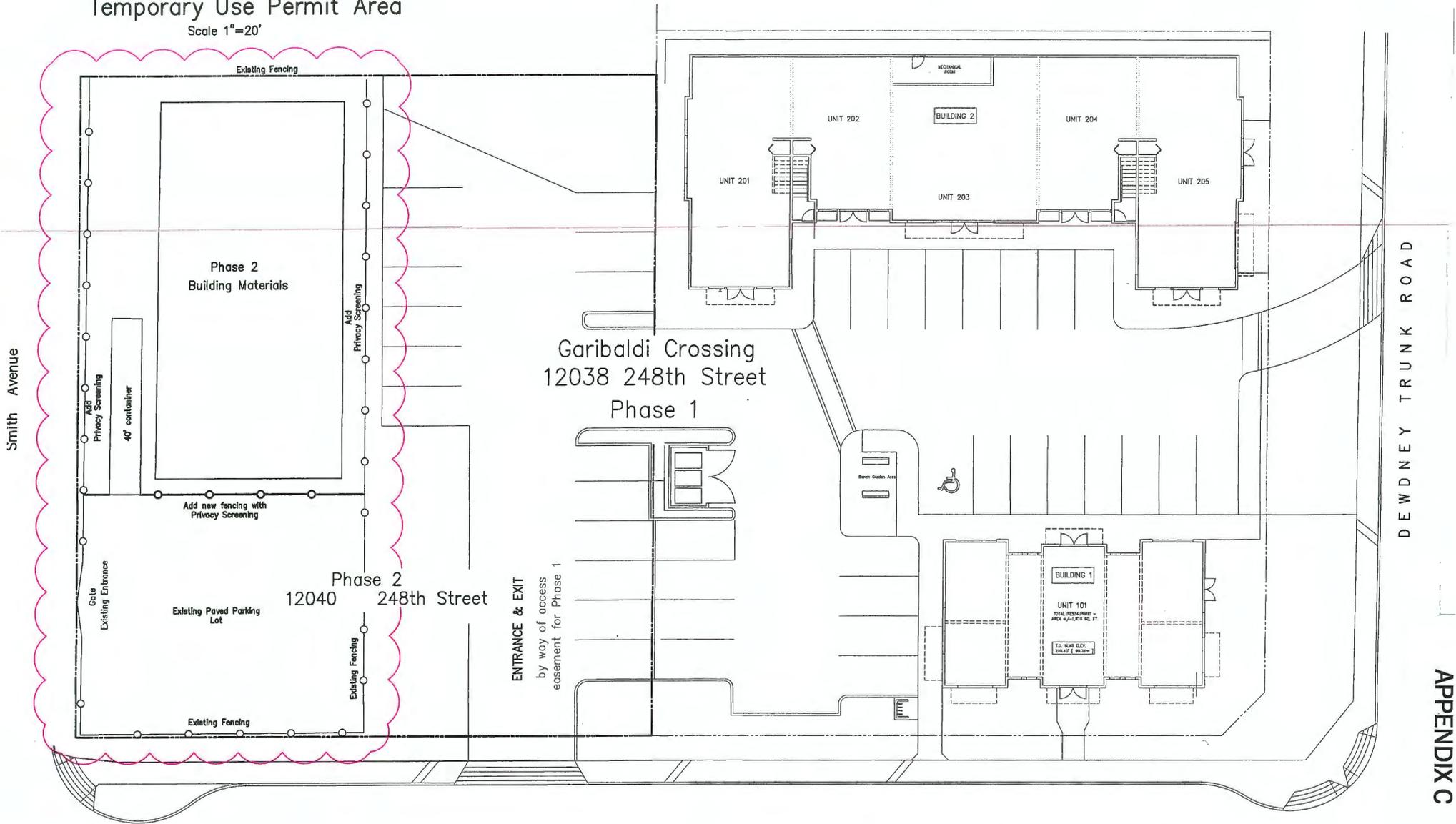
PLANNING DEPARTMENT

**mapleridge.ca**

FILE: 2020-392-RZ  
 DATE: Nov 5, 2020  
 BY: PC

# Temporary Use Permit Area

Scale 1"=20'



Garibaldi Crossing  
12038 248th Street  
Phase 1

Phase 2  
12040 248th Street

248TH STREET

DEWDNEY TRUNK ROAD

APPENDIX C



CITY OF MAPLE RIDGE

TEMPORARY USE PERMIT NO. 2020-392-RZ

TO: RUDY DIGIOVANNI  
PO BOX 377  
PORT COQUITLAM BC V3C 4K6  
(the "Permittee")

1. This Temporary Use Permit (the "Permit") is issued subject to compliance with all the Bylaws of the City of Maple Ridge (the "Municipality") applicable thereto, except as specifically varied or supplemented by this Permit.

2. This Permit applies to, and only to those lands within the Municipality described below and any and all buildings, structures, and other development thereon:

**Lot 23 Section 23 Township 12 New Westminster District Plan 15267**

(the "Lands")

3. The Temporary Use permitted by this Permit is:

To permit the outdoor storage of construction material and one shipping container in the CS-1 (Service Commercial) zone.

4. The Temporary Use shall be carried out according to the following conditions:

- a. No storage of flammable materials inside the shipping container;
- b. The shipping container will need to be vented;
- c. The site must be well maintained in accordance with all City Bylaws;
- d. The perimeter of the site must have a continuous landscape screen installed and be secured with a deposit of \$1,762.00 to be returned when the fencing is installed; and
- e. Upon termination of this Temporary Use Permit, the shipping container and all outdoor storage shall be removed from the site.

5. The Lands described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

6. This Permit is issued on the date of Authorized Resolution passed by Council and expires three years after \_\_\_\_\_, 2022.

7. This Permit is not transferable.

8. This Permit is not a Building Permit.

**AUTHORIZING RESOLUTION** passed by the Council the \_\_\_ day of \_\_\_\_\_, 2022.

**ISSUED** on the \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Corporate Officer



**mapleridge.ca**

**City of Maple Ridge**

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**MEETING DATE:** February 15, 2022  
**FILE NO:** 2021-531-RZ  
**MEETING:** C o W

**SUBJECT:** **First and Second Reading**  
**Termination and Replacement of Land Use Contract**  
**Official Community Plan Amending Bylaw No. 7747-2021**  
**Zone Amending Bylaw No. 7740-2021**  
**22486/88/89/90/96/97 Brickwood Close and 11649 & 11609 225 Street**

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#### **EXECUTIVE SUMMARY:**

In May 2014, the Province made changes to the *Local Government Act* to stipulate that all Land Use Contracts in British Columbia will be automatically terminated on June 30, 2024. Municipalities are required to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022. The *Local Government Act* also allows municipalities to terminate contracts prior to 2024 provided zoning is enacted for the affected lands.

To meet provincial legislated deadlines, the City's strategy is to enact zoning regulations for properties regulated by Land Use Contracts by bringing bundles of rezoning bylaws to Council for consideration in 2021 and 2022. Two bundles of rezoning bylaws have been adopted, but due to the complex nature of the third bundle, each property is being brought forward in a separate report.

The purpose of this report is to present Zone Amending Bylaw No. 7740-2021 to rezone the subject properties to RS-1 (Single Detached Residential) (Appendix B), which will take effect when the Land Use Contract is terminated. The properties are currently designated Ground-Oriented Multi-Family in the Official Community Plan (OCP), however, rezoning to a zone that aligns with the current use of the property minimizes the zoning non-conformities and reduces possible hardship on the property owner. Therefore, Official Community Plan Amending Bylaw No. 7747-2021 (Appendix C) is proposed to amend the OCP to support the rezoning to a single detached residential zone. Through the OCP Amending Bylaw, it is proposed that the land use designation of Ground-Oriented Multi-Family remain and that a text amendment be inserted to allow a single detached use on the subject properties. When the subject properties are proposed for ground-oriented multi-family use, at some point in the future, the subject OCP Amending Bylaw may be repealed and the Ground-Oriented Multi-Family use will apply.

#### **RECOMMENDATIONS:**

1. That in respect of Section 475 of the *Local Government Act*, requirement for consultation during the development or amendment of an Official Community Plan, Council must consider whether consultation is required with specifically:
  - i. The Board of the Regional District in which the area covered by the plan is located, in the case of a Municipal Official Community Plan;
  - ii. The Board of any Regional District that is adjacent to the area covered by the plan;
  - iii. The Council of any municipality that is adjacent to the area covered by the plan;
  - iv. First Nations;

**2)**

- v. Boards of Education, Greater Boards and Improvements District Boards; and
- vi. The Provincial and Federal Governments and their agencies;

and in that regard it is recommended that no additional consultation be required in respect of this matter beyond the posting of the proposed Official Community Plan amendments on the City's website, together with an invitation to the public to comment, and;

- 2. That Official Community Plan Amending Bylaw No. 7747-2021 be given first and second reading and forwarded to Public Hearing; and further
- 3. That Zone Amending Bylaw No. 7740-2021 be given first and second reading and forwarded to Public Hearing.

## 1.0 BACKGROUND:

Between 1971 and 1978, the *Municipal Act* (now called the *Local Government Act*) allowed local governments to enter into Land Use Contracts with property owners. In May 2014, the Province made changes to the *Local Government Act* requiring municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022 and that all Land Use Contracts will automatically be terminated after June 30, 2024.

At the October 13, 2020 Council Workshop meeting, the process for early termination of Land Use Contracts and the strategy to meet provincial deadlines was presented. The strategy is to bring bundles of rezoning bylaws to Council meetings over the course of 2021 and 2022. A Land Use Contract termination bylaw will be presented once the rezoning bylaws have been adopted.

To ensure the process and implications were clearly communicated to property owners, staff mailed tailored information packages to all property owners involved, created a page on the City's website that includes general information on Land Use Contracts and invited all affected property owners to an information session. However, the information session was cancelled due to low registration of property owners and staff have been meeting with interested property owners on a case-by-case basis. A Development Information Meeting is not required as no new development is being proposed.

On April 27, 2021, the first bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. On July 27, 2021, the second bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. Due to the more complex nature of the third bundle, each property is being brought forward in separate reports.

The subject properties within this report (as well as all other properties involved in the Land Use Contract removal process) will continue to be regulated by the current Land Use Contract, even upon adoption of new underlying zoning, until June 30, 2024, when all Land Use Contracts in the Province will be automatically terminated.

Should a property owner want to voluntarily discharge the Land Use Contract on title prior to June 30, 2024, the property owner can sign a "Consent Agreement" with the City and a zone amending bylaw can go through four readings and a public hearing. This approach allows property owners the option to keep their Land Use Contract or discharge the Land Use Contract if they are considering new construction, subdivision, or uses (i.e. secondary suites, etc.).

**2.0 DISCUSSION:**

**a) Background Context:**

The subject properties located at 22486, 22488, 22489, 22490, 22496, 22497 Brickwood Close and 11649 & 11609 225 Street are currently regulated by a Land Use Contract, established in 1972, to permit the uses “set out in Section 601 of the One Family Urban Residential Zone (RS-1) of Maple Ridge Zoning By-law Number 536-1961 as amended”.

Within Urban Area Boundary: Yes  
Area Plan: Town Centre Area Plan  
OCP Major Corridor: No

Existing OCP Designation: Ground-Oriented Multi-Family  
Proposed OCP Designation: Single Detached Residential

Existing Zoning: Land Use Contract  
Proposed Zoning: RS-1 Single Detached Residential

**Surrounding Uses:**

North: Use: Single Detached Residential  
Zone: RS-1 Single Detached Residential  
Designation: Ground-Oriented Multi-Family

South: Use: Medium Density Townhouse Residential  
Zone: RM-4 Medium Density Townhouse Residential  
Designation: Ground-Oriented Multi-Family

East: Use: Single Detached (Low Density) Urban Residential  
Zone: R-1 Single Detached (Low Density) Urban Residential  
Designation: Single-Family Residential

West: Use: Medium Density Apartment Residential  
Zone: RM-2 Medium Density Apartment Residential  
Designation: Low Rise Apartment

**b) Site Characteristics:**

The subject properties range between 906m<sup>2</sup> to 1,610m<sup>2</sup> in area and are bounded by single detached and apartment residential properties. The site is relatively flat, except for slopes over 30% along the south property lines. There are no watercourses running through any of the properties (Appendix A).

**c) Official Community Plan:**

The subject properties are currently designated Ground-Oriented Multi-Family in the Official Community Plan (OCP). The Ground-Oriented Multi-Family use is intended to provide housing options that range from a low density attached form to a medium-high density attached form of housing that will generally be a maximum of three storeys in height with ground level access to each unit. The development forms include fourplex, courtyard residential, townhouse, rowhouse, and stacked townhouse.

**e) Planning Analysis:**

In order to avoid non-conformity with the OCP land use designation (of Ground-Oriented Multi-Family) as the subject properties proceed through a rezoning process, it is proposed that a text amendment be inserted into the Ground-Oriented Multi-Family section of the Zoning Matrix, in the Town Centre Area Plan, that will allow a single detached use on the subject properties within the existing land use designation. Any future applications to rezone the subject properties to a zone permitted under the Ground-Oriented Multi-Family designation, Official Community Plan Amending Bylaw No. 7747-2021 may be repealed, and the Ground-Oriented Multi-Family use will apply. Additionally, four of the properties (located at 22497, 22486, and 22488 Brickwood Close and 11609 225 Street) will have a non-conformity with the proposed RS-1 zone, as these properties do not meet the 7.5m minimum rear yard setback. While all subject properties may continue with current uses, avoiding a non-conforming situation will ensure that property owners would be able to make modifications to their property, such as building additions or extensions, through existing regulatory approval processes.

Should Official Community Plan Amending Bylaw No. 7747-2021 be adopted, then the OCP policies, as per the Zoning Matrix, would support the proposed RS-1 zone on lots exceeding 668.0 square metres.

**3.0 CONCLUSION:**

In May 2014, the province made changes to the *Local Government Act* that requires municipalities to enact zoning regulations, prior to June 30, 2022, for all properties affected by Land Use Contracts. This report presents Zone Amending Bylaw No. 7740-2021 to rezone the subject properties to RS-1 (Single Detached Residential), which will take effect when the Land Use Contract is terminated, and Official Community Plan Amending Bylaw No. 7747-2021 to support the rezoning to the RS-1 (Single Detached Residential) zone.

“Original signed by Krista Gowan”

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Prepared by: **Krista Gowan, MA**  
**Planner 1**

“Original signed by Charles Goddard”

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

“Original signed by Christine Carter”

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

“Original signed by Scott Hartman”

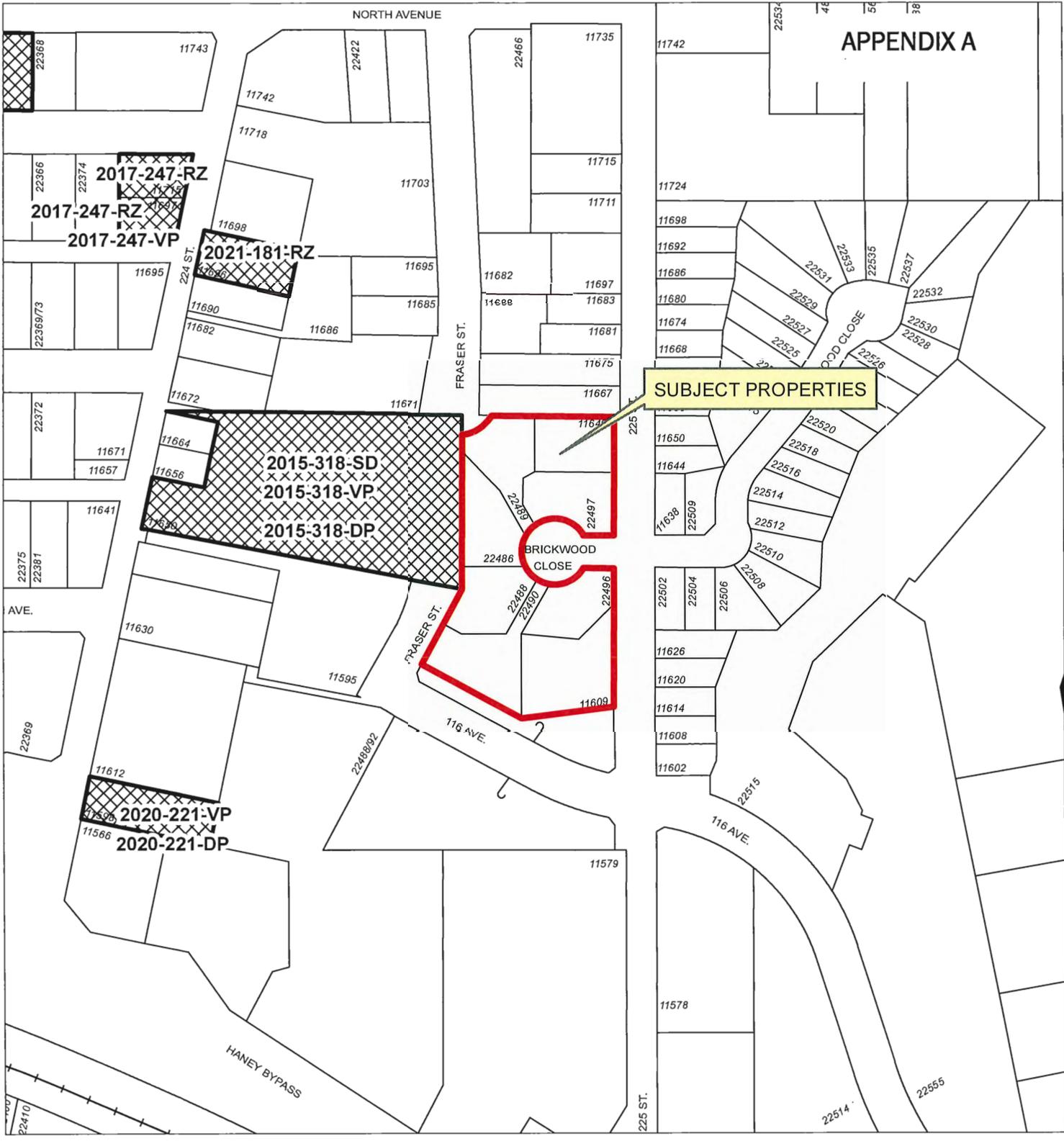
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Concurrence: **Scott Hartman**  
**Chief Administrative Officer**

The following appendices is attached hereto:

- Appendix A – Subject Map and Ortho Map
- Appendix B – Official Community Plan Amending Bylaw No. 7747-2021
- Appendix C – Zone Amending Bylaw No. 7740-2021

APPENDIX A



SUBJECT PROPERTIES

2015-318-SD  
2015-318-VP  
2015-318-DP

2020-221-VP  
2020-221-DP

2017-247-RZ  
2017-247-RZ  
2017-247-VP

2021-181-RZ



Scale: 1:2,500

Legend

 Active Applications (RZ/SD/DP/VP)

22486, 88, 89, 90, 96, 97 Brickwood Cl  
11609, 11649 225 St

PLANNING DEPARTMENT



mapleridge.ca

FILE: 2021-198-RZ  
DATE: Apr 16, 2021

BY: DT



**Legend**

-  Stream
-  Ditch Centreline
-  Indefinite Creek

22486, 88, 89, 90, 96, 97 Brickwood Cl  
11609, 11649 225 St

PLANNING DEPARTMENT



**MAPLE RIDGE**

British Columbia

**mapleridge.ca**

FILE: 2021-198-RZ  
DATE: Apr 16, 2021

BY: DT

Scale: 1:2,500

CITY OF MAPLE RIDGE  
BYLAW NO. 7747-2021

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

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**WHEREAS**, the Local Government Act empowers a local government to adopt or amend an Official Community Plan;

**AND WHEREAS**, it is deemed desirable to amend Schedule "A" to the Official Community Plan Bylaw No. 7060-2014, 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 Official Community Plan Amending Bylaw No. 7747-2021."
2. Schedule "A" is hereby amended as follows:

Chapter 10.4 Town Centre Area Plan, Appendix A Zoning Matrix, Section 2 Zoning Matrix, OCP Designation/Category Ground-Oriented Multi-Family is amended by adding the following after RM-5 Low Density Apartment Residential within the Zones column:

Single Detached Residential use under the RS-1 Zone is permitted for the purposes of terminating a land use contract on parcels known and described as:

LOT 86 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 008-270-970, 22486 Brickwood Close, Maple Ridge;

LOT 87 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 006-239-617, 22488 Brickwood Close, Maple Ridge;

LOT 85 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 000-963-780, 22489 Brickwood Close, Maple Ridge;

LOT 88 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 006-239-668, 22490 Brickwood Close, Maple Ridge;

LOT 89 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 004-401-735, 22496 Brickwood Close, Maple Ridge;

LOT 83 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 006-239-587, 22497 Brickwood Close, Maple Ridge;

LOT 84 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 002-167-034, 11649 225 Street, Maple Ridge; and

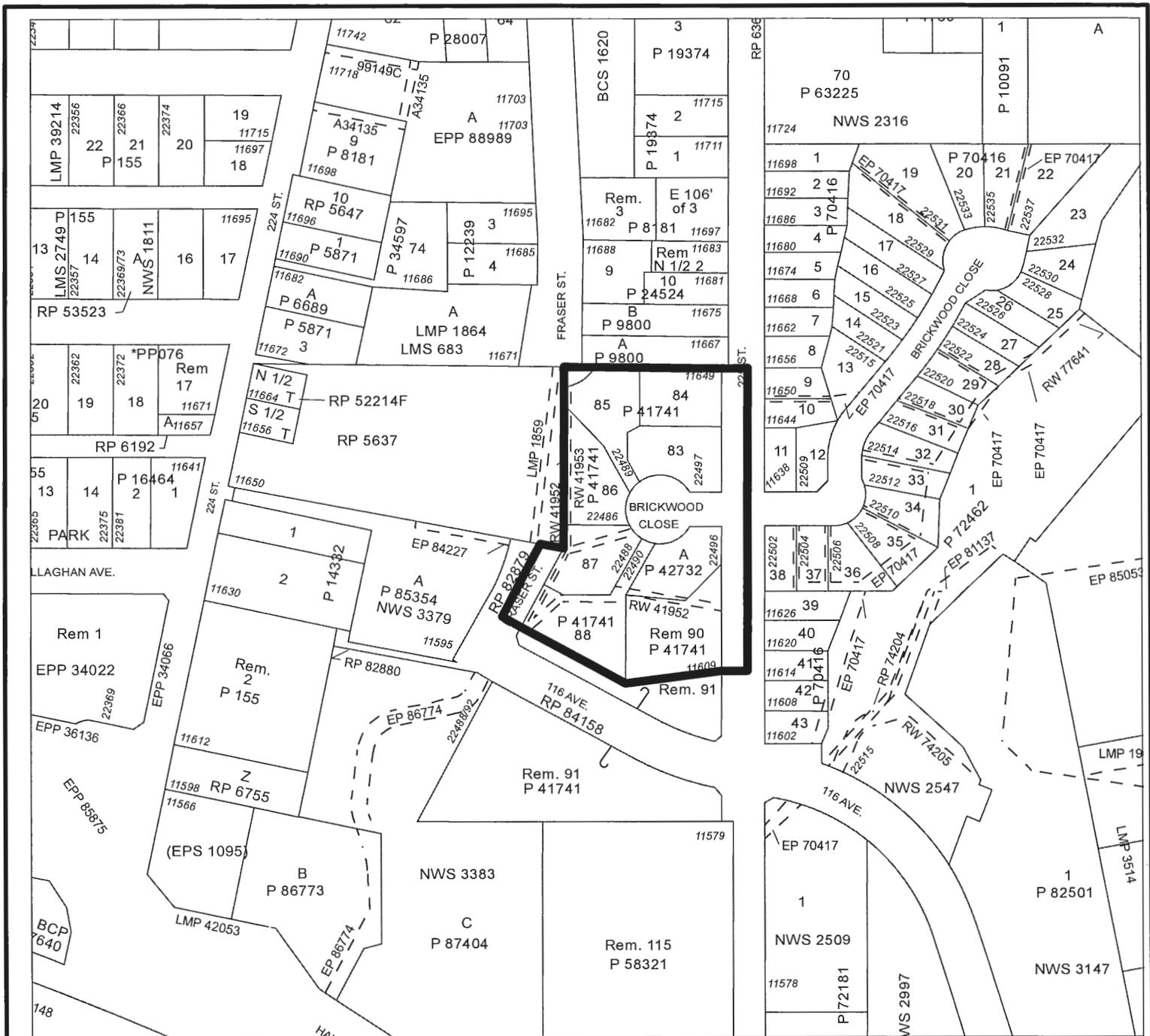
LOT 90 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741, PID 000-550-159, 11609 225 Street, Maple Ridge.





## SCHEDULE A

<b>Address</b>	<b>Parcel Identifier (PID)</b>	<b>Legal Description</b>
22486 Brickwood Close	008-270-970	LOT 86 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
22488 Brickwood Close	006-239-617	LOT 87 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
22489 Brickwood Close	000-963-780	LOT 85 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
22490 Brickwood Close	006-239-668	LOT 88 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
22496 Brickwood Close	004-401-735	LOT 89 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
22497 Brickwood Close	006-239-587	LOT 83 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
11649 225 Street	002-167-034	LOT 84 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741
11609 225 Street	000-550-159	LOT 90 DISTRICT LOT 398 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 41741



# MAPLE RIDGE ZONE AMENDING

Bylaw No. 7740-2021

Map No. 1879

From: LUC (Land Use Contract)

To: RS-1 (Single Detached Residential)





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**City of Maple Ridge**

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**MEETING DATE:** February 15, 2022  
**FILE NO:** 2021-532-RZ  
**MEETING:** C o W

**SUBJECT:** **First and Second Reading**  
**Termination and Replacement of Land Use Contract**  
**Official Community Plan Amending Bylaw No. 7748-2021**  
**Zone Amending Bylaw No. 7710-2021**  
**11581 256 Street**

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**EXECUTIVE SUMMARY:**

In May 2014, the Province made changes to the *Local Government Act* to require all Land Use Contracts in British Columbia to automatically terminate on June 30, 2024 and for municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022. The *Local Government Act* also allows municipalities to terminate Land Use Contracts prior to 2024 provided zoning is enacted for the affected lands.

To meet provincial legislated deadlines, the strategy has been to enact zoning regulations for properties regulated through Land Use Contracts by bringing bundles of rezoning bylaws to Council over the course of 2021 and 2022. Two bundles of rezoning bylaws were adopted last year, but due to the complex nature of the third bundle, each property is being brought forward in separate reports.

The purpose of this report is to present Zone Amending Bylaw No. 7710-2021 to rezone the subject property to the RS-3 (Single Detached Rural Residential) zone (Appendix C), which will take effect when the Land Use Contract is terminated. The property is currently vacant and designated Institutional in the Official Community Plan (OCP). Rezoning to the RS-3 (Single Detached Rural Residential) zone aligns with the current permitted use (Assisted Living Residence) and reduces possible hardship on the property owner as the property is currently reliant on septic service. Additionally, because institutional developments are exempt from form and character development permit area guidelines, there would be no mechanism to require that the design of a new small-scale institutional facility would respect the rural character and align with OCP policies. As such, OCP Amending Bylaw No. 7748-2021 (Appendix B) is proposed to support the rezoning to a single detached rural residential zone for the subject property.

**RECOMMENDATIONS:**

1. That In respect of Section 475 of the *Local Government Act*, requirement for consultation during the development or amendment of an Official Community Plan, Council must consider whether consultation is required with specifically:
  - i. The Board of the Regional District in which the area covered by the plan is located, in the case of a Municipal Official Community Plan;
  - ii. The Board of any Regional District that is adjacent to the area covered by the plan;
  - iii. The Council of any municipality that is adjacent to the area covered by the plan;
  - iv. First Nations;
  - v. Boards of Education, Greater Boards and Improvements District Boards; and

**3)**

vi. The Provincial and Federal Governments and their agencies;

and in that regard, it is recommended that no additional consultation be required in respect of this matter beyond the posting of the proposed Official Community Plan amendments on the City's website, together with an invitation to the public to comment, and;

2. That Official Community Plan Amending Bylaw No. 7748-2021 be given first and second reading and forwarded to Public Hearing; and further
3. That Zone Amending Bylaw No. 7710-2021 be given first and second reading and forwarded to Public Hearing.

## 1.0 BACKGROUND:

Between 1971 and 1978, the Municipal Act (now called the Local Government Act) allowed local governments to enter into Land Use Contracts with property owners. In May 2014, the Province made changes to the Local Government Act requiring municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022 and that all Land Use Contracts will automatically be terminated after June 30, 2024.

At the October 13, 2020 Council Workshop meeting, the process for early termination of Land Use Contracts and the strategy to meet provincial deadlines was presented. The strategy is to bring bundles of rezoning bylaws to Council meetings over the course of 2021 and 2022. A Land Use Contract termination bylaw will be presented once the rezoning bylaws have been adopted.

To ensure the process and implications were clearly communicated to property owners, staff mailed tailored information packages to all property owners involved, created a page on the City's website that includes general information on Land Use Contracts and invited all affected property owners to an information session. However, the information session was cancelled due to low registration of property owners and staff have been meeting with interested property owners on a case-by-case basis. A Development Information Meeting is not required as no new development is being proposed.

On April 27, 2021, the first bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. On July 27, 2021, the second bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. Due to the more complex nature of the third bundle, each property is being brought forward in separate reports.

The subject property within this report (as well as all other properties involved in the Land Use Contract removal process) will continue to be regulated by the current Land Use Contract, even upon adoption of new underlying zoning, until June 30, 2024, when all Land Use Contracts in the Province will be automatically terminated.

Should a property owner want to voluntarily discharge the Land Use Contract on title prior to June 30, 2024, the property owner can sign a "Consent Agreement" with the City and a zone amending bylaw can go through four readings and a public hearing. This approach allows property owners the option to keep their Land Use Contract or discharge the Land Use Contract if they are considering new construction, subdivision, or uses (i.e. secondary suites, etc.).

## 2.0 DISCUSSION:

### a) Background Context:

The subject property located at 11581 256 Street is currently regulated by a Land Use Contract, adopted in 1976, to permit the use of:

- The operation of a rest home with maximum capacity of 38 guests, subject to the approval of Human Resources and the Central Fraser Valley Health Unit;
- Residential accommodation for four staff members; and
- Accessory off-street parking.

The vacant subject property is proposed to be rezoned from the Land Use Contract to RS-3 Single Detached Rural Residential (Appendix C).

Within Urban Area Boundary: No  
Area Plan: General Land Use  
OCP Major Corridor: Yes

Existing OCP Designation: Institutional  
Proposed OCP Designation: Institutional & Single Detached Rural Residential

Existing Zoning: Land Use Contract  
Proposed Zoning: RS-3 Single Detached Rural Residential

#### Surrounding Uses:

North: Use: Single Detached Rural Residential  
Zone: RS-3  
Designation: Agricultural (ALR)

South: Use: Kanaka Creek Regional Park  
Zone: Park  
Designation: Park

East: Use: Single Detached Rural Residential  
Zone: RS-3  
Designation: Suburban Residential

West: Use: Kanaka Creek Regional Park  
Zone: Park  
Designation: Park

### b) Site Characteristics:

The subject property is currently vacant, a total of 0.86 ha (2.1 acres) in area, and relies on septic disposal, rather than a sanitary sewer. However, the property is connected to community water. The site is characterized by slopes over 30% along the west and south property lines and Freebie Creek is located in the north-west corner of the property.

**c) Official Community Plan:**

The OCP land use designation for the property is Institutional, however, because the property is vacant, OCP policies related to Institutional uses in rural areas must also be considered in the context of a rezoning. The following policies relate to Institutional uses in the Official Community Plan:

*4 - 33 Large Scale Institutional Facilities such as public hospitals, congregate care facilities, and private hospitals should:*

- a) be within the Urban Area Boundary;*
- b) be conveniently located near public transit;*
- c) have direct access to a collector, arterial, TransLink major road or Provincial Highway as identified in the Maple Ridge Transportation plan;*
- d) where considered necessary, require the completion of a transportation impact study; and*
- e) respect the neighbourhood context and natural features.*

*4 - 34 Proposed expansions in the range of uses or size of existing Large-Scale Institutional Facilities must be evaluated on their impacts to the adjacent neighbourhood, to the transportation network, to existing services and facilities, and to the surrounding community and its natural features. The redevelopment or reuse of institutional facilities for other than institutional use is encouraged, providing that the transportation network servicing and infrastructure can support the use.*

*4 - 35 An Institutional use may be considered in rural areas provided that the use, character, and related programs of the operation respects rural character, is sited to minimize conflicts with adjacent rural neighbours, and existing on-site services and infrastructure can support the use*

**e) Planning Analysis**

As the property is currently vacant and is reliant on septic service, rezoning to an institutional zone is not in alignment with OCP Policies 4-33 and 4-34. Additionally, because institutional developments are exempt from form and character development permit area guidelines, there would be no mechanism to require that the design of a new small-scale institutional facility would respect the rural character.

The strategy being employed in selecting a zone for properties regulated by a Land Use Contract is to review the use and regulations permitted in the Land Use Contract and align as close as possible to regulations within an existing zone. The proposed RS-3 zone, which is utilized in rural areas, permits the principal use of Assisted Living Residence. An Assisted Living Residence is where housing, hospitality services and assisted living services, as defined in the Community Care and Assisted Living Act, are provided by or through the operator to three (3) or more adults who are not related by blood or marriage to the operator of the premises and do not require, on a regular basis, unscheduled professional Health Services.

In order to align with OCP Policies 4-33, 4-34, and 4-35 and select a zone that will not be contrary to the OCP Zoning Matrix, OCP Amending Bylaw No. 7748-2021 is proposed as an amendment to the OCP to support the rezoning to a RS-3 (Single Detached Rural Residential) zone for the purposes (Appendix B). As such, the Official Community Plan Amending Bylaw No. 7748-2021, states that for the purpose of rezoning the subject property, the subject property may be rezoned to RS-3 (Single Detached Rural Residential) under the Institutional Designation. Any future application to rezone the site to an Institutional Zone can continue to be received.

Should the Official Community Plan Amending Bylaw No. 7748-2021 be adopted, then the OCP policies and the OCP Zoning Matrix, would align with the proposed RS-3 zone.

### 3.0 CONCLUSION:

In May 2014, the province made changes to the *Local Government Act* that requires municipalities to enact zoning regulations, prior to June 30, 2022, for all properties affected by Land Use Contracts. This report presents Zone Amending Bylaw No. 7710-2021 to rezone the property located at 11581 256 Street to RS-3 (Single Detached Rural Residential), which will take effect when the Land Use Contract is terminated, and Official Community Plan Amending Bylaw No. 7748-2021 to support the rezoning to the RS-3 (Single Detached Rural Residential) zone.

“Original signed by Krista Gowan”

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*Prepared by:* **Krista Gowan, MA**  
**Planner 1**

“Original signed by Charles Goddard”

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

“Original signed by Christine Carter”

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

“Original signed by Scott Hartman”

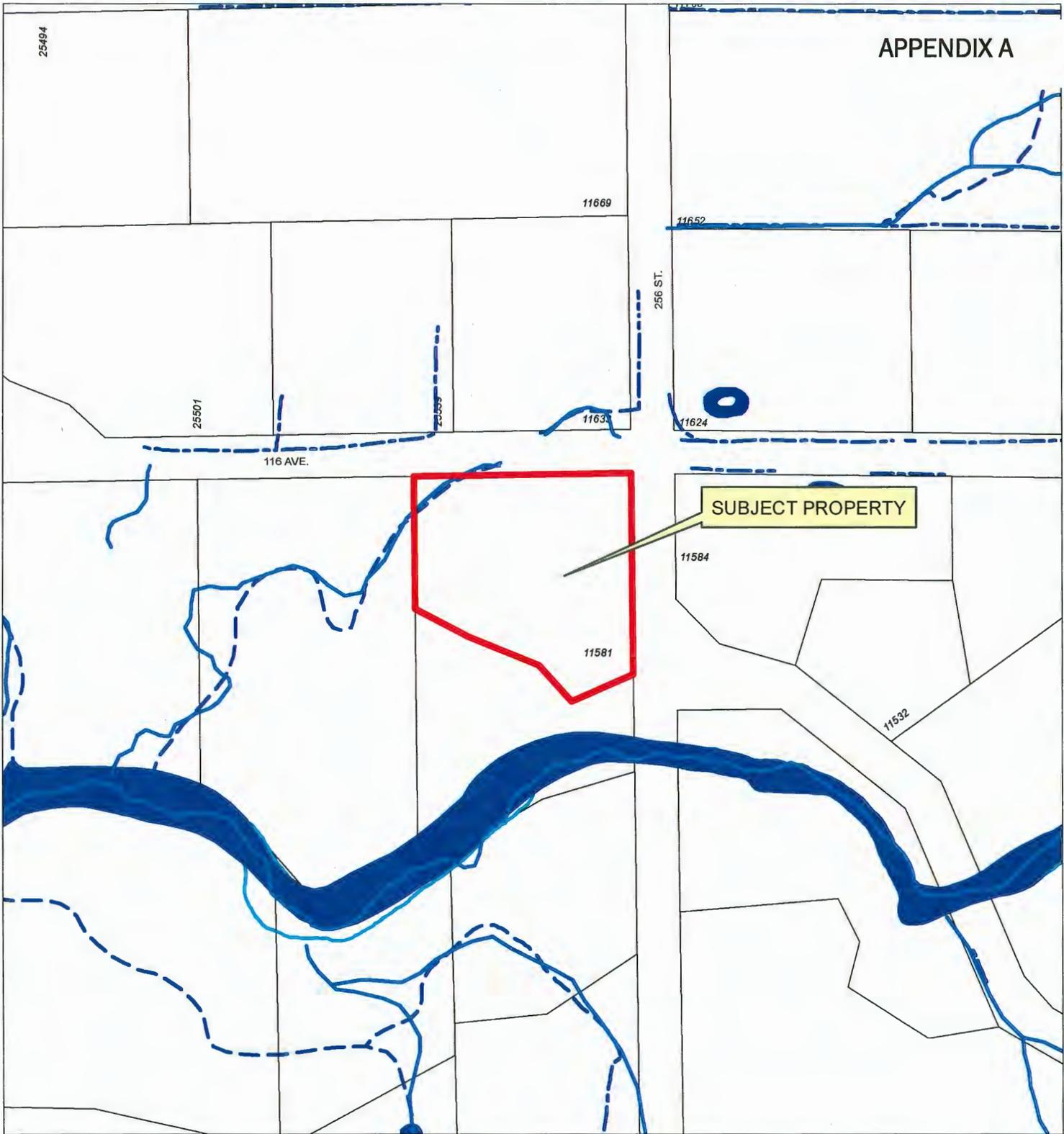
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*Concurrence:* **Scott Hartman**  
**Chief Administrative Officer**

The following appendices are attached hereto:

- Appendix A – 11581 256 Street Subject Map and Ortho Map
- Appendix B – Official Community Plan Amending Bylaw No. 7748-2021
- Appendix C – Zone Amending Bylaw No. 7710-2021

APPENDIX A



Scale: 1:2,500

**Legend**

-  Stream
-  Ditch Centreline
-  Edge of River
-  Indefinite Creek
-  Lake or Reservoir
-  River

11581 256 ST

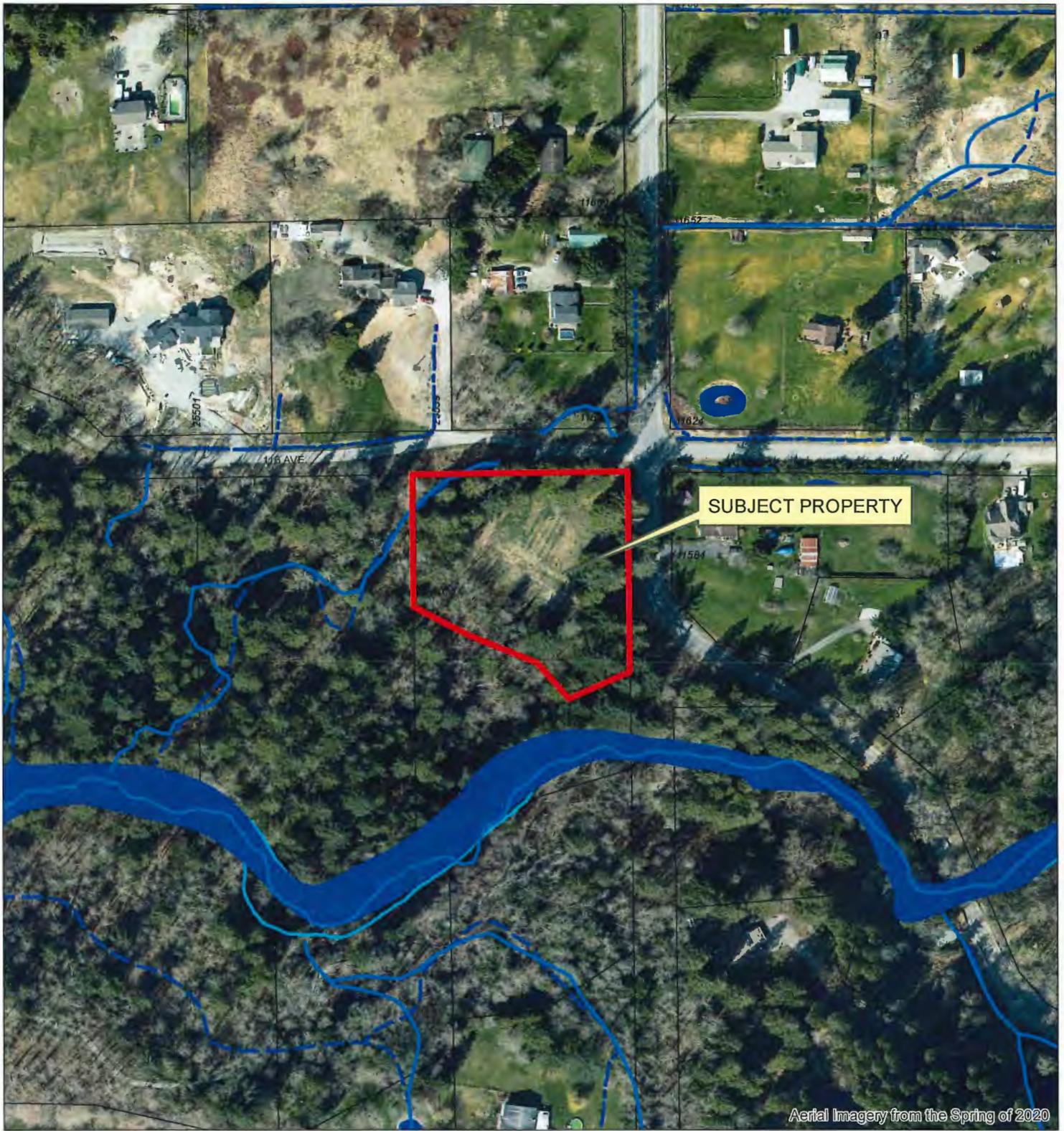
Planning Department



**mapleridge.ca**

FILE: 2021-029-RZ  
DATE: Jan 21, 2021

BY: DT



Scale: 1:2,500

**Legend**

-  Stream
-  Ditch Centreline
-  Edge of River
-  Indefinite Creek
-  Lake or Reservoir
-  River

11581 256 ST

Planning Department



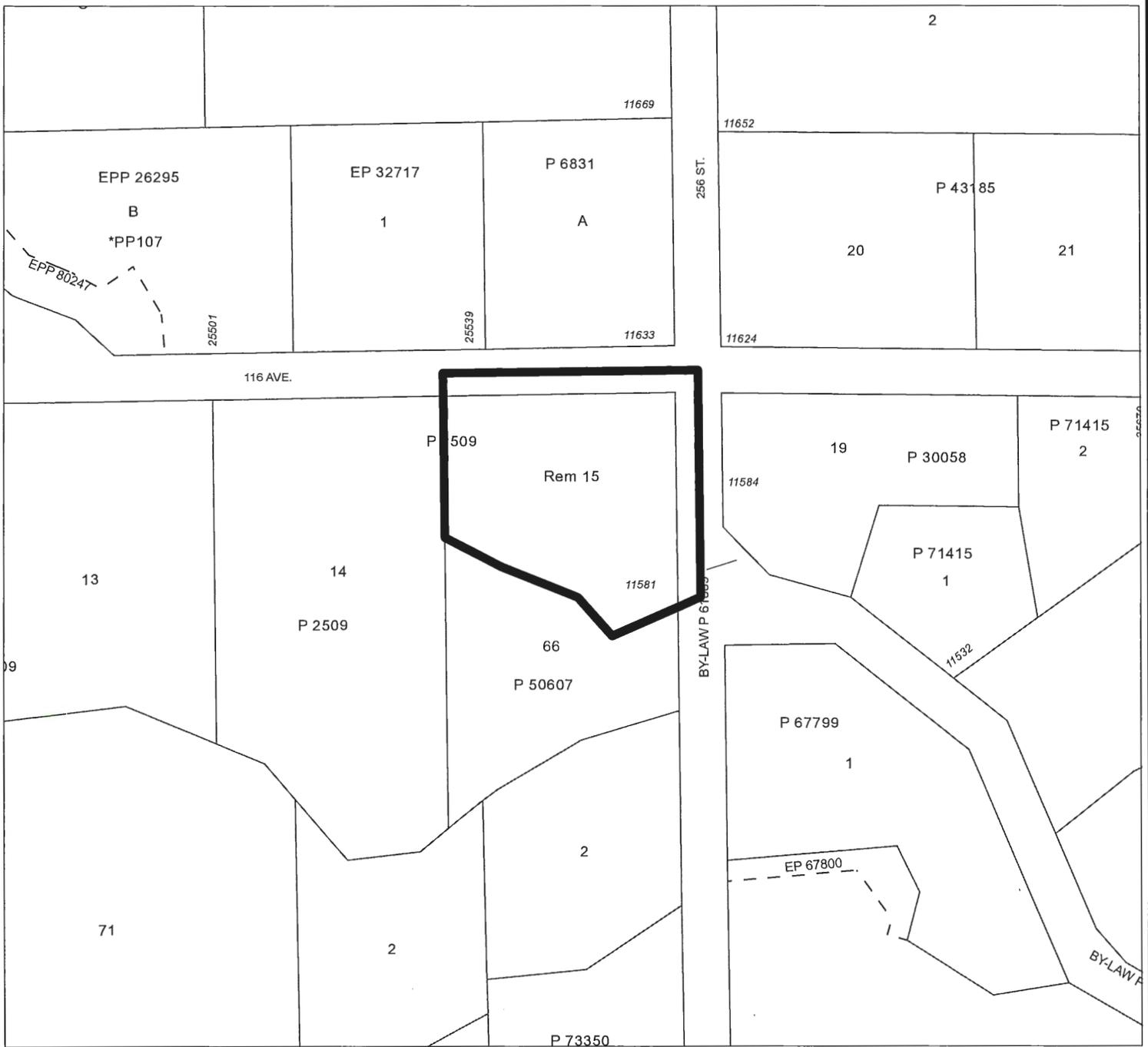
[mapleridge.ca](http://mapleridge.ca)

FILE: 2021-029-RZ  
DATE: Jan 21, 2021

BY: DT







# MAPLE RIDGE ZONE AMENDING

Bylaw No. 7710-2021  
 Map No. 1869  
 From: LUC (Land Use Contract)  
 To: RS-3 (Single Detached Rural Residential)





**mapleridge.ca**

**City of Maple Ridge**

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**MEETING DATE:** February 15, 2022  
**FILE NO:** 2021-533-RZ  
**MEETING:** C o W

**SUBJECT:** **First and Second Reading**  
**Termination and Replacement of Land Use Contract**  
**Zone Amending Bylaw No. 7807-2021**  
**11698 226 Street**

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**EXECUTIVE SUMMARY:**

In May 2014, the Province made changes to the *Local Government Act* to require all Land Use Contracts in British Columbia to automatically terminate on June 30, 2024 and for municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022. The *Local Government Act* also allows municipalities to terminate Land Use Contracts prior to 2024 provided zoning is enacted for the affected lands.

To meet provincial legislated deadlines, the strategy has been to enact zoning regulations for properties regulated through Land Use Contracts by bringing bundles of rezoning bylaws to Council over the course of 2021 and 2022. Two bundles of rezoning bylaws have been adopted, but due to the complex nature of the third bundle, each property is being brought forward in a separate report.

The purpose of this report is to present a zone amending bylaw for the subject property located at 11698 226 Street and the creation of a new zone, CD-4-21 (Appendix B). The proposed underlying zoning, CD-4-21, replicates the uses and sitting permitted with the Land Use Contract.

**RECOMMENDATION:**

**That Zone Amending Bylaw No. 7807-2021 be given first and second reading and forwarded to Public Hearing.**

**1.0 BACKGROUND:**

Between 1971 and 1978, the Municipal Act (now called the Local Government Act) allowed local governments to enter into Land Use Contracts with property owners. In May 2014, the Province made changes to the Local Government Act requiring municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022 and that all Land Use Contracts will automatically be terminated after June 30, 2024.

At the October 13, 2020 Council Workshop meeting the process for early termination of Land Use Contracts and the strategy to meet provincial deadlines was presented. The strategy is to bring bundles of rezoning bylaws to Council meetings over the course of 2021 and 2022.

To ensure the process and implications were clearly communicated to property owners, staff mailed tailored information packages to all property owners involved, created a page on the City's website

**4)**

that includes general information on Land Use Contracts and invited all affected property owners to an information session. However, the information session was cancelled due to low registration of property owners and staff have been meeting with interested property owners on a case-by-case basis. A Development Information Meeting is not required as no new development is being proposed.

On April 27, 2021, the first bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. On July 27, 2021, the second bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. Due to the more complex nature of the third bundle, each property is being brought forward in separate reports.

The subject property within this report (as well as all other properties involved in the Land Use Contract removal process) will continue to be regulated by the current Land Use Contract, even upon adoption of new underlying zoning, until June 30, 2024, when all Land Use Contracts in the Province will be automatically terminated.

Should a property owner want to voluntarily discharge the Land Use Contract on title prior to June 30, 2024, the property owner can sign a "Consent Agreement" with the City and a zone amending bylaw can go through four readings and a public hearing. This approach allows property owners the option to keep their Land Use Contract or discharge the Land Use Contract if they are considering new construction, subdivision, or uses (i.e. secondary suites, etc.).

## 2.0 DISCUSSION:

### a) Background Context:

The subject property located at 11698 226 Street is currently regulated by a Land Use Contract established in 1976 to permit the use of a "90 Bed Intermediate Care Nursing home" and "Accessory Off-Street Parking". The 1976 Land Use Contract is an amended version to the original 1973 Land Use Contract, which permitted only 60 beds.

Within Urban Area Boundary: Yes  
Area Plan: Town Centre Area Plan  
OCP Major Corridor: Yes

Existing OCP Designation: Low-Rise Apartment and Conservation

Existing Zoning: Land Use Contract  
Proposed Zoning: CD-4-21

#### Surrounding Uses:

North: Use: Town Centre Commercial  
Zone: C-3  
Designation: Town Centre Commercial

South: Use: Park  
Zone: RS-1  
Designation: Conservation

East: Use: Park  
Zone: RS-1  
Designation: Conservation

West: Use: Medium/High Density Apartment Residential  
Zone: RM-3  
Designation: Ground-Oriented Multi-Family

**b) Site Characteristics:**

The subject property is 1.1 ha (2.7 acres) in area with a sloping topography of over 30% comprising the south portion of the site and a stream running diagonally from the east through the southwest corner. The current existing development sites on the relatively flat northern portion of the site.

**c) Official Community Plan:**

The subject property is located within the Town Centre Area Plan and designated Low-Rise Apartment (29%) and Conservation (71%). The Low-Rise Apartment land use designation is in the northern portion of the subject property and is intended for development of a three (3) to five (5) storey apartment form, where units are accessed from an internal corridor and residential parking is provided underground. The land use designation supports zones RM-2 (Medium Density Apartment), CD-1-00 (Comprehensive Development (Assisted Living)), and any Comprehensive Development (CD) zones approved by Council.

The Conservation land use designation generally aligns with the steep slope and creek setbacks in the southern portion of the subject property and this portion of the site would be subject to the following OCP policies should the property redevelop.

*4-10 Conservation areas are intended for viewing and interpretation only. Where appropriate, Greenway Trails may be incorporated into these areas for the enjoyment of experiencing these natural systems (See Multi-Modal Transportation Network Map, Figure 1, for intended Greenway Trails). A Greenway Trail is a recreational pathway that connects recreation sites and other points of interest in the community. These trails provide opportunities for walking/hiking, mountain biking, or jogging.*

*4-11 All public or privately owned sites in the Town Centre that contain a watercourse, wetland area, rocky outcrop, or steep slope, will continue to be subject to the environmental policies in the Maple Ridge Official Community Plan and all related environmental protection bylaws.*

*4-12 All sites in the Town Centre that are designated for Park and Conservation are subject to the Maple Ridge and Pitt Meadows Parks, Recreation & Culture Master Plan.*

**d) Planning Analysis:**

The subject property is currently an Assisted Living Residence, registered through Fraser Health, and is regulated by a Land Use Contract that permits “90 Bed Intermediate Care Nursing home” as the principal use. The Land Use Contract also specifies the setbacks, density, parking, and lot coverage. The provisions specified in the Land Use Contract do not align with the setback, density, parking, and lot coverage provisions of the CD-1-00 zone, being the zone in the Zoning Bylaw used for assisted living use. As such, a new CD zone is proposed for the subject property.

The Zone Amending Bylaw No. 7807-2021, which proposes the creation of zone CD-4-21 and rezoning the subject property to CD-4-21, replicates the sitting provisions from the 1976 Land Use Contract that

currently regulates the property and proposes the principal use as “Assisted Living Residence” in order to avoid non-conformities with the Zoning Bylaw.

The proposed zoning is consistent with the surrounding uses, as the land use is not changing. Additionally, the proposed zone of CD-4-21 meets the intent of the OCP land use designation as the principal use is “Assisted Living Residence”.

### 3.0 CONCLUSION:

In May 2014, the Province made changes to the *Local Government Act* to require all Land Use Contracts in British Columbia to automatically terminate on June 30, 2024 and for municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022.

This report presents Zone Amending Bylaw No. 7807-2021 for the subject property at 11698 226 Street and the creation of a new zone, CD-4-21 (Appendix B). The proposed underlying zoning, CD-4-21, replicates the uses and sitting permitted with the Land Use Contract.

“Original signed by Krista Gowan”

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Prepared by: **Krista Gowan, MA**  
**Planner 1**

“Original signed by Charles Goddard”

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

“Original signed by Christine Carter”

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

“Original signed by Scott Hartman”

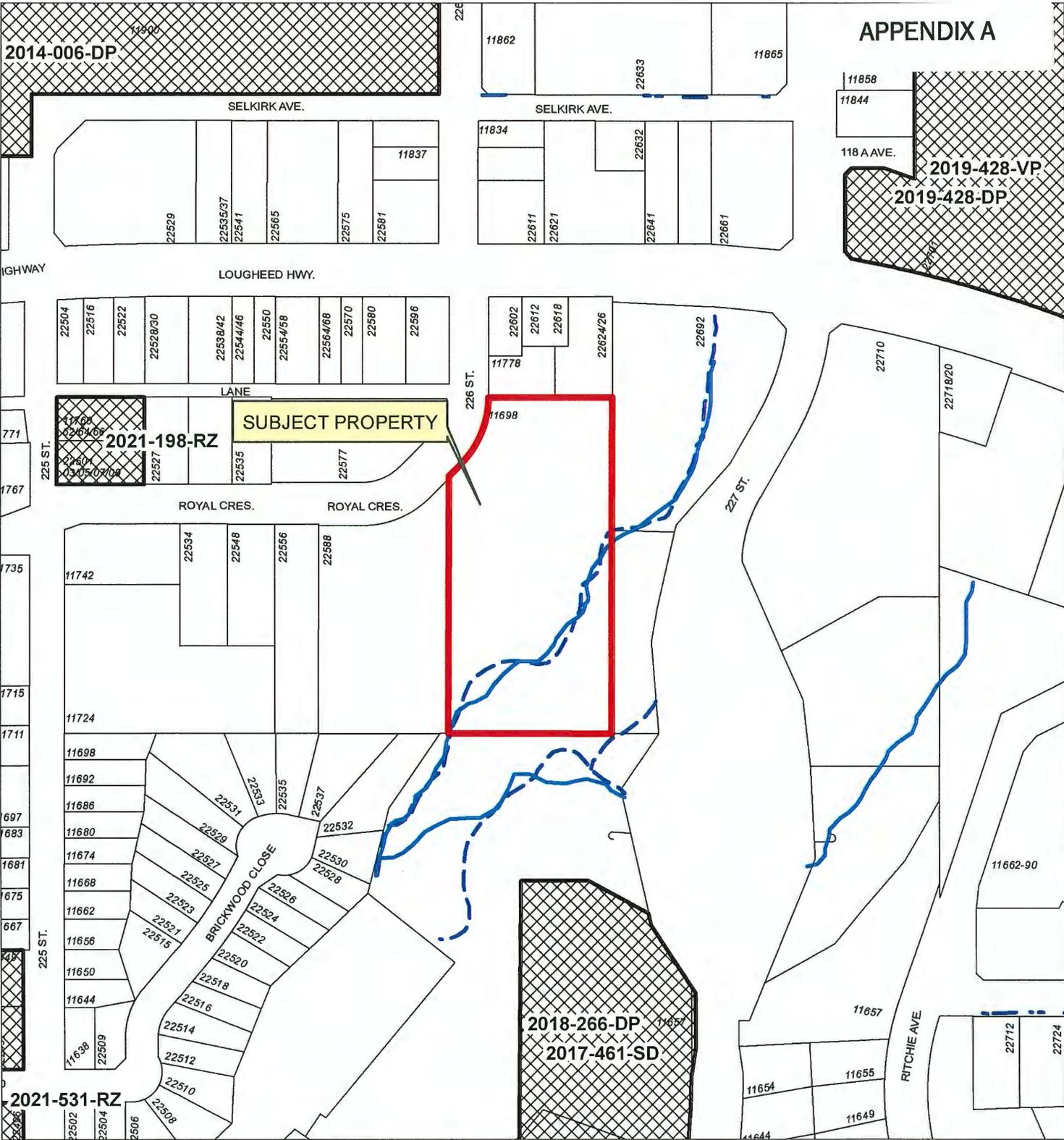
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Concurrence: **Scott Hartman**  
**Chief Administrative Officer**

The following appendices are attached hereto:

Appendix A – Subject Map and Ortho Map

Appendix B – Zone Amending Bylaw No. 7807-2021



**APPENDIX A**

**Legend**

-  Stream
-  Ditch Centreline
-  Indefinite Creek
-  Active Applications (RZ/SD/DP/VP)

11689 226ST  
PID: 010-326-146

PLANNING DEPARTMENT



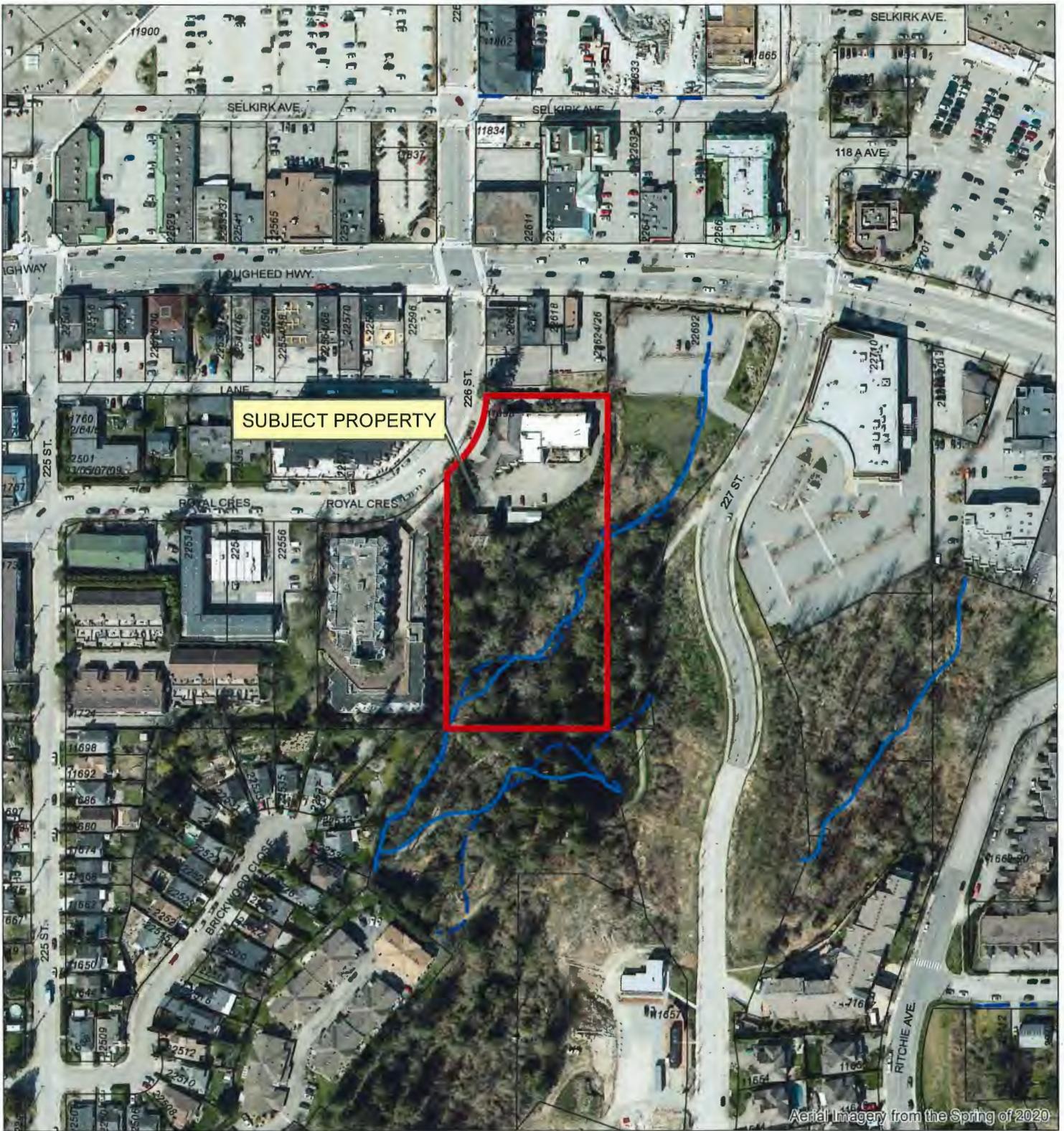
**MAPLE RIDGE**  
British Columbia

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Scale: 1:2,500

FILE: Subject Map.mxd  
DATE: Jan 26, 2022

BY: DT



Aerial Imagery from the Spring of 2020



**Legend**

-  Stream
-  Ditch Centreline
-  Indefinite Creek

Scale: 1:2,500

11689 226ST  
PID: 010-326-146

PLANNING DEPARTMENT



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FILE: Subject Map.mxd  
DATE: Jan 26, 2022

BY: DT

**CITY OF MAPLE RIDGE  
BYLAW NO. 7807-2021**

A Bylaw to amend the text forming part of Zoning Bylaw No. 7600 - 2019 as amended

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**WHEREAS**, it is deemed desirable to create a new comprehensive development zone called "CD-4-21";

**AND WHEREAS**, it is deemed desirable 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. 7807-2021."
2. Maple Ridge Zoning Bylaw No. 7600-2019 is hereby amended by inserting the following CD Zone immediately following the last section in PART 10 COMPREHENSIVE DEVELOPMENT ZONES and numbering it in sequential order accordingly:

**10XX CD-4-21**

**10XX.1 PURPOSE**

1. This Comprehensive Development Zone provides for the use of Assisted Living Residence for LOT 23 EXCEPT: PARCEL B (EXPLANATORY PLAN 16567); DISTRICT LOT 401 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 18056, 11698 226 Street, Maple Ridge.

**10XX.2 PRINCIPAL USES**

1. The following Principal Uses Shall be permitted in this Zone:
  - a. Assisted Living Residence with over 10 residents, including staff; and
  - b. Community Care Facility of a residential class, where there are more than 6 residents in care or where there are more than 10 residents.

**10XX.3 ACCESSORY USES**

1. The following shall be permitted as Accessory Uses to one of the permitted Principal Uses in this Zone;
  - a. Accessory Off Street Parking
2. Refer to Sections 401 and 402 of this Bylaw for additional information

**10XX.4 LOT AREA AND DIMENSIONS**

1. Minimum Lot Area and dimensions shall be not less than;
  - a. in Lot Area 1.0 hectare
  - b. in Lot Width 74.0 metres
  - c. in Lot Depth 118.0 metres

2. Refer to Section 407 Building Envelope of the Bylaw for required minimum Building Envelope dimensions

**10XX.5**

**DENSITY**

1. Floor Space Ratio shall not exceed 0.3 times the Lot Area.

**10XX.6**

**LOT COVERAGE**

1. All Principal Buildings and Principal Structures and Accessory Buildings and Accessory Structures together shall not exceed a Lot Coverage of 7%.

**10XX.7**

**SETBACKS**

1. Minimum Setbacks for all Principal Building and Principal Structures shall be not less than:
  - a. from a Front Lot Line (224<sup>th</sup> Street) 7.3 metres
  - b. from a Rear Lot Line 7.7 metres
  - c. from an North Side Lot Line 6.4 metres
  - d. from an South Side Lot Line 118.0 metres
2. Minimum Setbacks for all Buildings and Structures shall meet the requirements of Section 403 (Visual Clearance at Intersections) of this Bylaw.

**10XX.8**

**HEIGHT**

1. Building Height for Principal Buildings, Principal Structures and Accessory Buildings and Structures shall not exceed 9.7 metres.
2. Refer to Section 403 (Building Height) of this Bylaw.

**10XX.9**

**LANDSCAPING**

1. Landscaping and screening shall be provided in accordance with Section 405 (Landscaping, Screening and Fencing Requirements) of this Bylaw.

**10XX.10**

**PARKING AND LOADING**

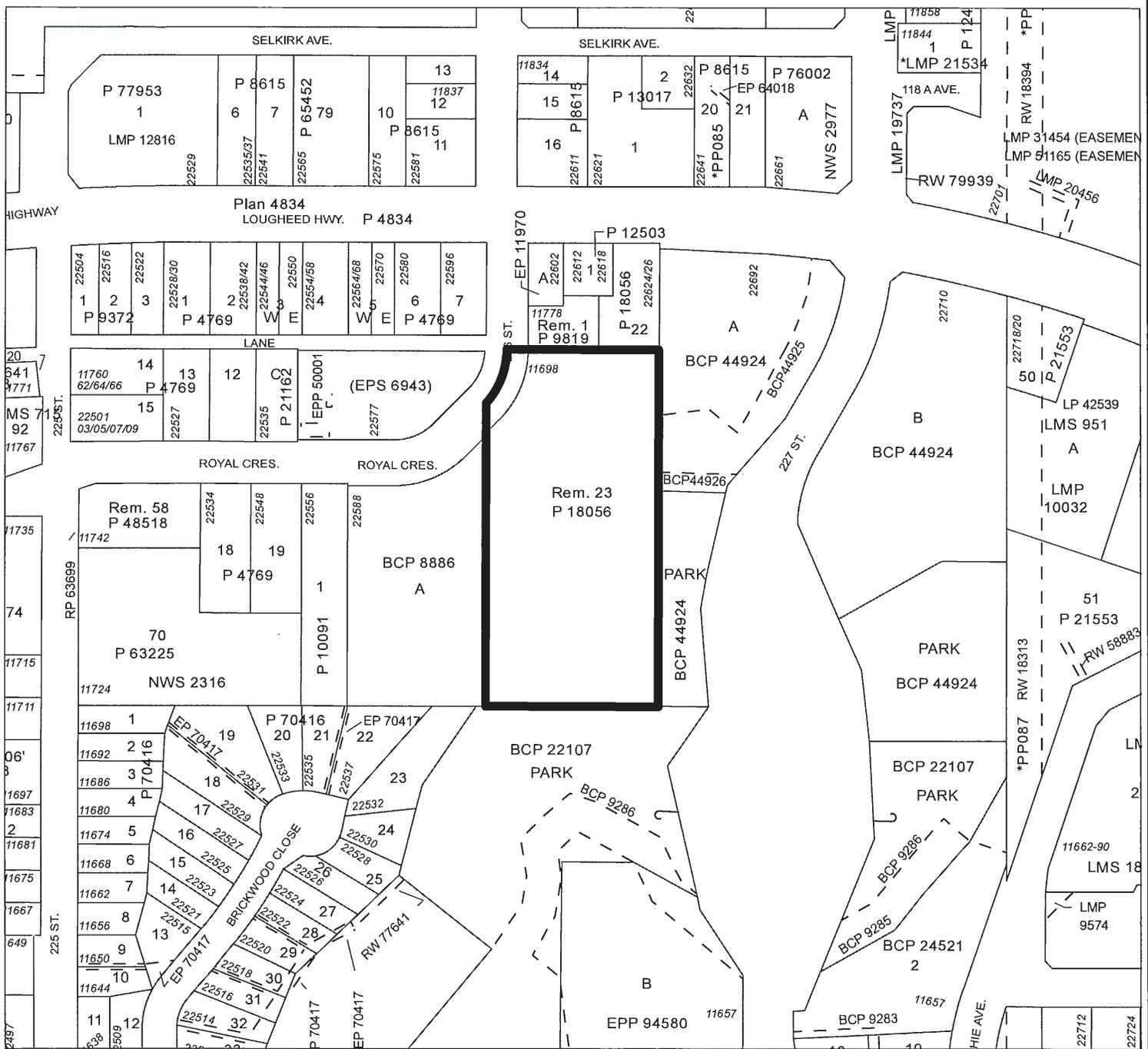
1. The Off-Street Parking and Off-Street Loading requirement shall be a minimum of 24 parking stalls.

4. That parcels or tracts of land and premises known and described as:

LOT 23 EXCEPT: PARCEL B (EXPLANATORY PLAN 16567); DISTRICT LOT 401 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 18056

and outlined in heavy black line on Map No. 1952 a copy of which is attached hereto and forms part of this Bylaw, is hereby rezoned to CD-4-21.





# MAPLE RIDGE ZONE AMENDING

Bylaw No. 7807-2021  
 Map No. 1952  
 From: LUC (Land Use Contract)  
 To: CD-4-21 (Comprehensive District)





City of Maple Ridge

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** **First and Second Reading**  
**Termination and Replacement of Land Use Contract**  
**Zone Amending Bylaw No. 7809-2021**  
**12309 240 Street**

**MEETING DATE:** February 15, 2022  
**FILE NO:** 2021-534-RZ  
**MEETING:** C o W

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**EXECUTIVE SUMMARY:**

In May 2014, the Province made changes to the *Local Government Act* to require all Land Use Contracts in British Columbia to automatically terminate on June 30, 2024 and for municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022. The *Local Government Act* also allows municipalities to terminate Land Use Contracts prior to 2024 provided zoning is enacted for the affected lands.

To meet provincial legislated deadlines, the strategy is to enact zoning regulations for properties regulated by Land Use Contracts by bringing bundles of rezoning bylaws to Council meetings over the course of 2021 and 2022. Two bundles of rezoning bylaws have been adopted, but due to the complex nature of the third bundle, each property is being brought forward in separate reports.

The purpose of this report is to present a zone amending bylaw for the subject property at 12309 240 Street and the creation of a new zone, CD-5-21 (Appendix B). The site is designated Agricultural in the Official Community Plan (OCP) and is located within the Agricultural Land Reserve (ALR). The proposed zone in Zone Amending Bylaw No. 7809-2021, CD-5-21 (Nine Hole Golf Course), is drafted to replicate the uses and siting currently permitted through the Land Use Contract. A golf course use is considered a non-farm use in the Agricultural Land Reserve and OCP Policy 6-10 permits non-farm uses on properties designated Agricultural if approved by the Agricultural Land Commission and the City. However, a golf course use (outdoor recreation) is permitted only under specific institutional zones within the Zoning Bylaw.

Staff have confirmed with the Agricultural Land Commission that the 1976 decision, by this legislating body and the City, to allow a golf course use will be upheld to permit continuation of the uses outlined in the Land Use Contract. As such, a Non-Farm Use application is not required if there is no expansion of the existing uses or buildings.

**RECOMMENDATION:**

1. That Zone Amending Bylaw No. 7809-2021 be given first and second reading and forwarded to Public Hearing.

## **1.0 BACKGROUND:**

Between 1971 and 1978, the Municipal Act (now called the Local Government Act) allowed local governments to enter into Land Use Contracts with property owners. In May 2014, the Province made changes to the Local Government Act requiring municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022 and that all Land Use Contracts will automatically be terminated after June 30, 2024.

At the October 13, 2020 Council Workshop meeting the process for early termination of Land Use Contracts and the strategy to meet provincial deadlines was presented. The strategy is to bring bundles of rezoning bylaws to Council meetings over the course of 2021 and 2022.

To ensure the process and implications were clearly communicated to property owners, staff mailed tailored information packages to all property owners involved, created a page on the City's website that includes general information on Land Use Contracts and invited all affected property owners to an information session. However, the information session was cancelled due to low registration of property owners and staff have been meeting with interested property owners on a case-by-case basis. A Development Information Meeting is not required as no new development is being proposed.

On April 27, 2021, the first bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. On July 27, 2021, the second bundle of seven rezoning bylaws for properties with a Land Use Contract was adopted. Due to the more complex nature of the third bundle, each property is being brought forward in separate reports.

The subject property within this report (as well as all other properties involved in the Land Use Contract removal process) will continue to be regulated by the current Land Use Contract, even upon adoption of new underlying zoning, until June 30, 2024, when all Land Use Contracts in the Province will be automatically terminated.

Should a property owner want to voluntarily discharge the Land Use Contract on title prior to June 30, 2024, the property owner can sign a "Consent Agreement" with the City and a zone amending bylaw can go through four readings and a public hearing. This approach allows property owners the option to keep their Land Use Contract or discharge the Land Use Contract if they are considering new construction, subdivision, or uses (i.e. secondary suites, etc.).

## **2.0 DISCUSSION:**

### **a) Background Context**

The subject property located at 12309 240 Street is currently regulated by a Land Use Contract established in 1976 to permit the use of:

- A nine-hole golf course
- Accessory Minor Retail Use, which shall be limited to the rental of golf clubs and the rental or selling of golf tees or golf balls
- Single Family Residential Use
- Accessory Off-Street Parking Use

The subject property has been operating a nine-hole golf course since 1976 and at that time the Agricultural Land Commission permitted conventional golf courses outright. The city has a copy of a letter, dated March 30, 1976, from the Agricultural Land Commission (previously known as the British

Columbia Land Commission) which states that a conventional golf course is permitted as well as activities normally associated with the use such as a pro-shop and snack bar.

Within Urban Area Boundary: No  
Area Plan: General Land Use Plan  
OCP Major Corridor: Yes

Existing OCP Designation: Agricultural

Existing Zoning: Land Use Contract (Nine-hole Golf Course)  
Proposed Zoning: CD-5-21 (to permit the use of a Nine-hole golf course)

Surrounding Uses:

North: Use: Single Detached Rural Residential  
Zone: RS-3  
Designation: Estate Suburban Residential

South: Use: Single Detached (Medium Density) Residential  
Zone: RS-1b  
Designation: Urban Residential

East: Use: Single Detached Rural Residential  
Zone: RS-3  
Designation: Agricultural

West: Use: Single Detached Rural Residential  
Zone: RS-3  
Designation: Agricultural

**b) Site Characteristics**

The subject property is 4.2 ha (10.5 acres) in area. The site is characterized by slopes over 30% along the north east property lines, with Latimer Creek following the north east slopes through the center of the property.

**c) Official Community Plan:**

The subject property is located within the Agricultural Land Reserve and is designated *Agricultural* in the Official Community Plan (OCP). The City of Maple Ridge sees Agricultural land one of several economic drivers within the community and recognizes that the protection of agricultural lands is considered a strong element of protecting environmental values and contributes to the character of Maple Ridge and sense of community.

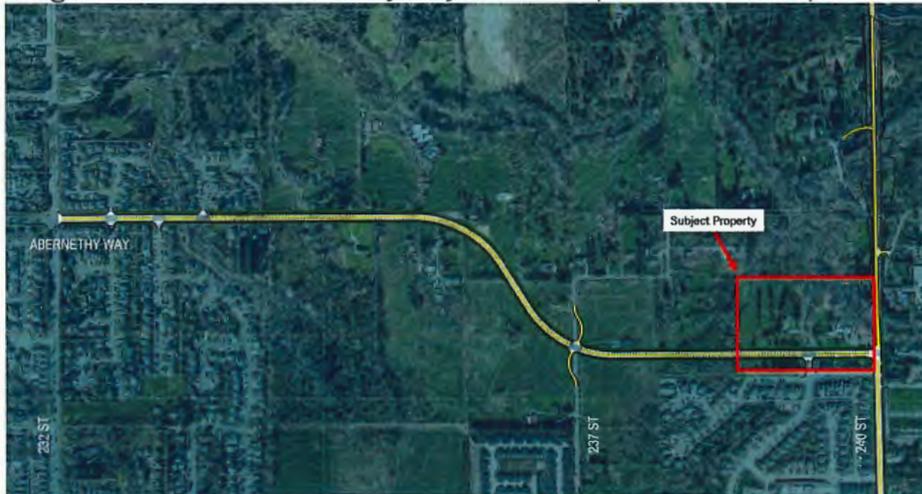
Golf courses are not a permitted use in the Agricultural Land Reserve and the Agricultural OCP land use designation does not support zones with a golf course use. However, OCP Policy 6-10 (c), speaks to permitting non-farm uses on properties designated *Agricultural* if by approved by the Agricultural Land Commission and the City.

d) Other Considerations:

**Abernethy Extension:**

At the November 26, 2019 Council Workshop meeting, Phase 3 of the Abernethy Way Extension (232 Street to 256 Street) was approved by Council. The new roadway will follow the east-west alignment of 124 Avenue. A diagonal S-curve will move the alignment to the southeast, connecting 240 Street to the south of the subject property, as shown in Image 1 below. While this extension will impact the subject property, it will not affect or be affected by the approach being taken to remove the Land Use Contract and establish underlying zoning through the proposed CD-5-21 zone.

*Image 1 – Phase 3 of Abernethy Way Extension (232 St to 256 St)*



e) Planning Analysis

The OCP Zoning Matrix does not support zones with a golf course (outdoor recreation) use. However, a golf course is considered a non-farm use in the Agricultural Land Reserve and this use is supported through OCP Policy 6-10(c), which permits non-farm uses on properties designated Agricultural if by approved by the Agricultural Land Commission and the City.

Staff have confirmed with the Agricultural Land Commission that the 1976 decision will be upheld to permit the uses outlined in the Land Use Contract and a Non-Farm Use application is not required if there is no expansion on the uses or buildings. The proposed zone, CD-5-21, replicates the uses and siting stated in the Land Use Contract.

### 3.0 CONCLUSION:

In May 2014, the Province made changes to the *Local Government Act* to require all Land Use Contracts in British Columbia to automatically terminate on June 30, 2024 and for municipalities to enact zoning regulations for all properties affected by Land Use Contracts prior to June 30, 2022.

This report presents Zone Amending Bylaw No. 7809-2021 for the subject property located at 12309 240 Street currently regulated by a Land Use Contract and the creation of a new zone, CD-5-21 (Appendix B). The underlying zoning that is proposed, CD-5-21, replicates the uses and siting of the Land Use Contract. The Agricultural Land Commission has confirmed ongoing support of the 1976 decision and will not require a Non-Farm Use application if there is no expansion of the uses or buildings.

“Original signed by Krista Gowan”

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*Prepared by:* **Krista Gowan, MA**  
**Planner 1**

“Original signed by Charles Goddard”

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

“Original signed by Christine Carter”

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

“Original signed by Scott Hartman”

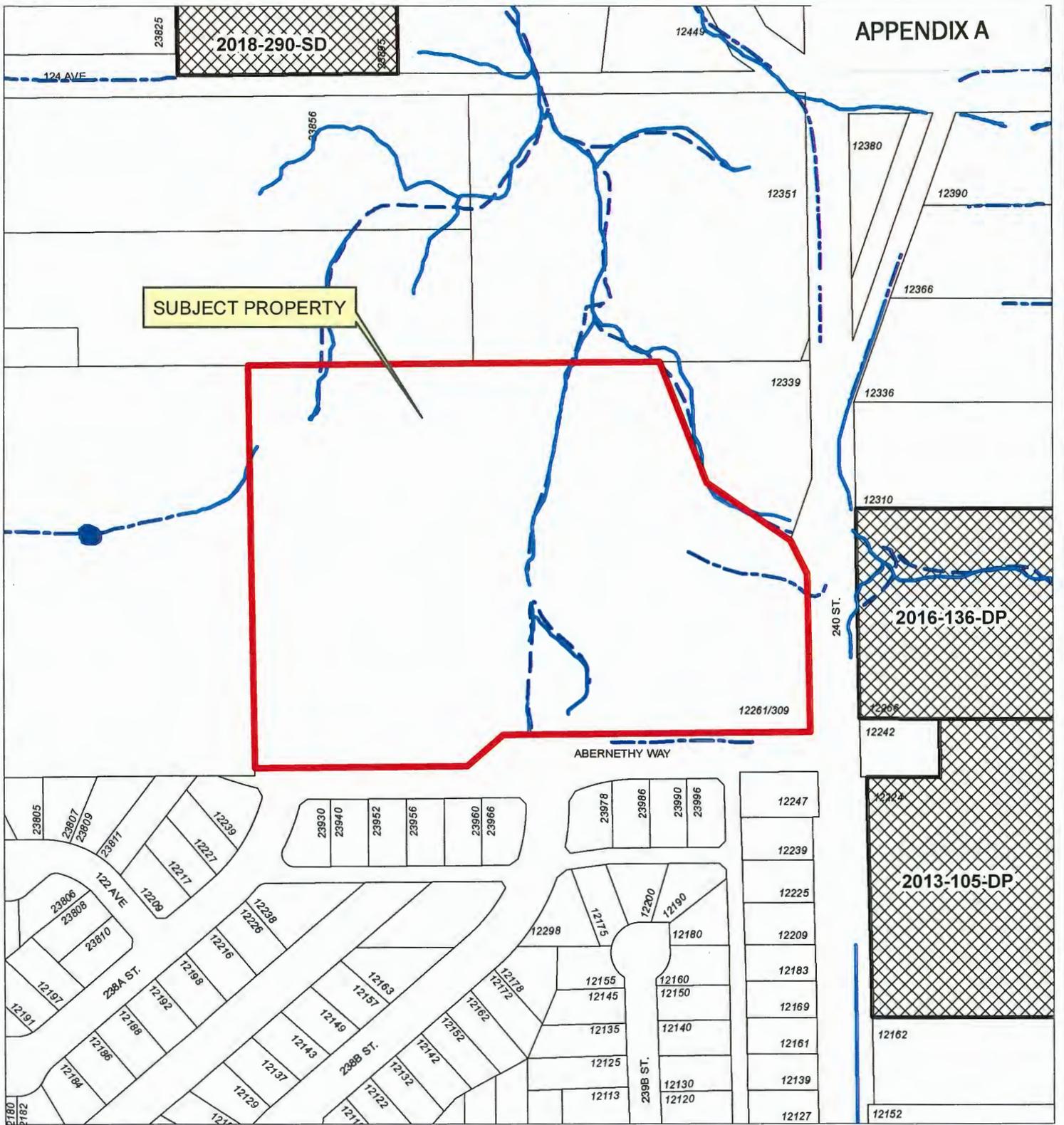
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*Concurrence:* **Scott Hartman**  
**Chief Administrative Officer**

The following appendices are attached hereto:

Appendix A – Subject Map and Ortho Map

Appendix B – Zone Amending Bylaw No. 7809-2021



SUBJECT PROPERTY

2018-290-SD

2016-136-DP

2013-105-DP



Scale: 1:2,500

**Legend**

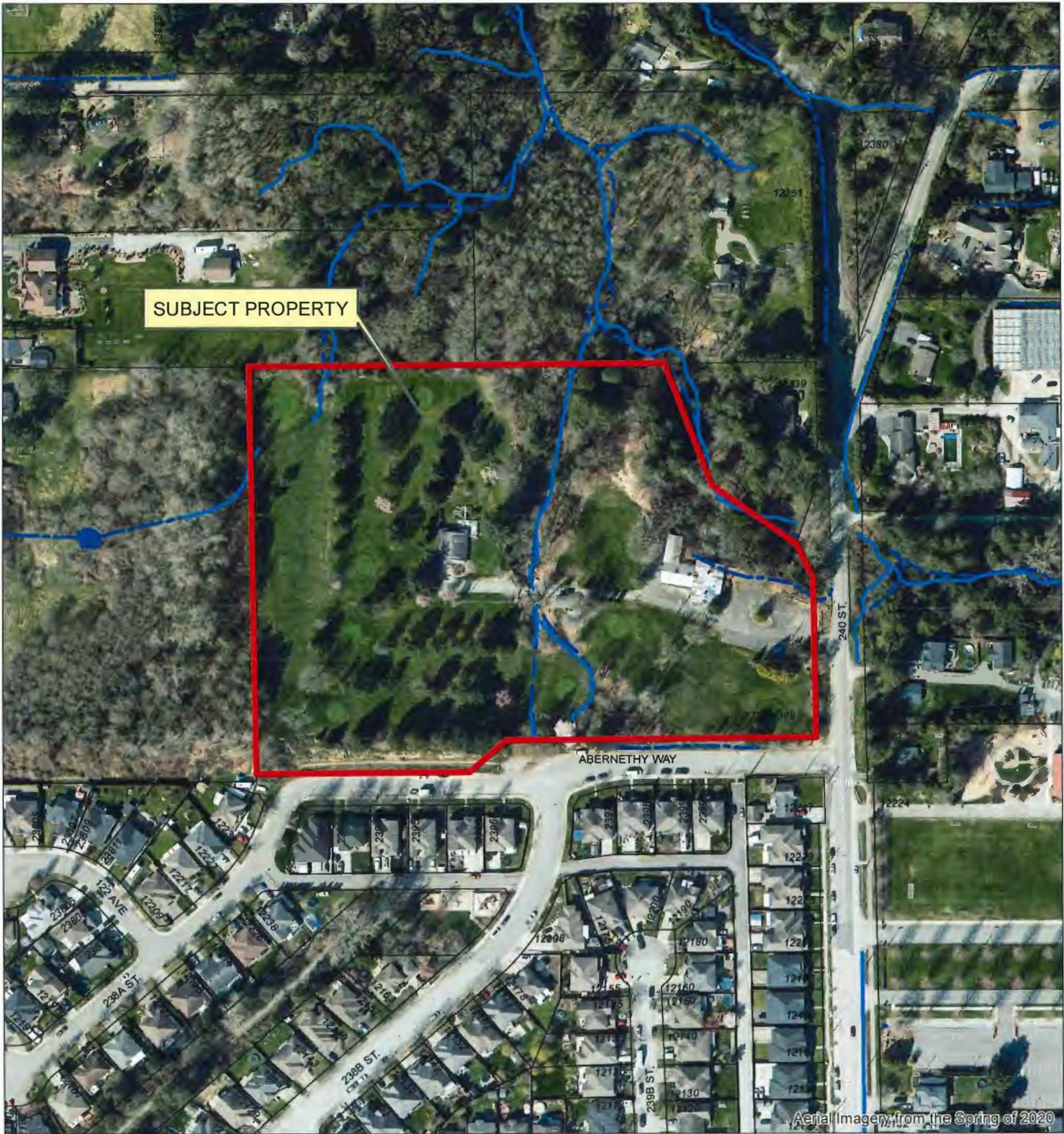
-  Stream
-  Ditch Centreline
-  Indefinite Creek
-  Lake or Reservoir
-  Active Applications (RZ/SD/DP/VP)

12309 240ST  
PID: 004-938-135



FILE: Subject Map.mxd  
DATE: Jan 26, 2022

BY: DT



SUBJECT PROPERTY

ABERNETHY WAY

Aerial Imagery from the Spring of 2020



**Legend**

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

Scale: 1:2,500

12309 240ST  
PID: 004-938-135

PLANNING DEPARTMENT



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**CITY OF MAPLE RIDGE  
BYLAW NO. 7809-2021**

A Bylaw to amend the text forming part of Zoning Bylaw No. 7600 - 2019 as amended

---

**WHEREAS**, it is deemed desirable to create a new comprehensive development zone called "CD-5-21 Nine-Hole Golf Course";

**AND WHEREAS**, it is deemed desirable 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. 7809-2021."
2. Maple Ridge Zoning Bylaw No. 7600-2019 is hereby amended by inserting the following CD Zone immediately following the last section in PART 10 COMPREHENSIVE DEVELOPMENT ZONES and numbering it in sequential order accordingly:

- |                 |  |                |            |                 |              |                 |              |
|-----------------|--|----------------|------------|-----------------|--------------|-----------------|--------------|
| <b>10XX</b>     | <b>CD-5-21 Nine-Hole Golf Course</b>   |                |            |                 |              |                 |              |
| <b>10XX.1</b>   | <b>PURPOSE</b>   |                |            |                 |              |                 |              |
|                 | 1. This zone provides for a nine-hole golf course use for LOT 13 SECTION 21 TOWNSHIP 12 NEW WESTMINSTER DISTRICT PLAN 51480, 12309 240 Street, Maple Ridge.  |                |            |                 |              |                 |              |
| <b>10XX.2</b>   | <b>PRINCIPAL USES</b>  |                |            |                 |              |                 |              |
|                 | 1. The following Principal Uses Shall be permitted in this Zone; <ol style="list-style-type: none"> <li>a. Nine- Hole Golf Course</li> <li>b. Single Detached Residential</li> </ol>   |                |            |                 |              |                 |              |
| <b>10XX.3</b>   | <b>ACESSORY USES</b>   |                |            |                 |              |                 |              |
|                 | 1. Minor retail use, which shall be limited to the rental of golf clubs and the rental or selling of golf tees or golf balls, limited to Nine Hole Golf Course Use only.   |                |            |                 |              |                 |              |
| <b>10XX.4</b>   | <b>LOT AREA AND DIMENSIONS</b>   |                |            |                 |              |                 |              |
|                 | 1. Minimum Lot Area and dimensions shall be not less than; <table border="0" style="margin-left: 20px;"> <tr> <td>a. in Lot Area</td> <td>3 hectares</td> </tr> <tr> <td>b. in Lot Width</td> <td>150.0 metres</td> </tr> <tr> <td>c. in Lot Depth</td> <td>150.0 metres</td> </tr> </table> | a. in Lot Area | 3 hectares | b. in Lot Width | 150.0 metres | c. in Lot Depth | 150.0 metres |
| a. in Lot Area  | 3 hectares   |                |            |                 |              |                 |              |
| b. in Lot Width | 150.0 metres   |                |            |                 |              |                 |              |
| c. in Lot Depth | 150.0 metres   |                |            |                 |              |                 |              |
|                 | 2. Refer to Section 407 Building Envelope of the Bylaw for required minimum Building Envelope dimensions   |                |            |                 |              |                 |              |

**10XX.5 DENSITY**

1. N/A

**10XX.6 LOT COVERAGE**

1. All Principal Buildings and Principal Structures and Accessory Buildings and Accessory Structures together shall not exceed a Lot Coverage of 5%.

**10XX.7 SETBACKS**

1. Minimum Setbacks for all Principal Building and Principal Structures shall be not less than:
  - a. from a Front Lot Line 45.5 metres
  - b. from a Rear Lot Line 96.5 metres
  - c. from an Interior Side Lot Line 45.5 metres
  - d. from an Exterior Side Lot Line 56.5 metres

**10XX.8 HEIGHT**

1. Building Height for Single Detached Residential use shall not exceed 11.5 metres.
2. Building Height for other Principal uses, Accessory Buildings and Accessory Structures shall not exceed 7.5 metres.

**10XX.9 PARKING AND LOADING**

1. The Off-Street Parking and Off-Street Loading shall be provided with a minimum of 34 parking stalls with a Nine-Hole Golf Course use.

**10XX.10 OTHER REQUIREMENTS**

1. The Agricultural Land Commission Act and its Regulations shall prevail.
2. The Farm Home Plate requirements shall apply in accordance with Section 402 (Farm Home Plate) of this Bylaw.

3. That parcels or tracts of land and premises known and described as:

LOT 13 SECTION 21 TOWNSHIP 12 NEW WESTMINSTER DISTRICT PLAN 51480

and outlined in heavy black line on Map No. 1953 a copy of which is attached hereto and forms part of this Bylaw, is hereby rezoned to CD-5-21 Nine-Hole Golf Course.



