

TO: His Worship Mayor Dan Ruimy
and Members of Council
FROM: Chief Administrative Officer

MEETING DATE: May 2, 2023
FILE NO: 2023-055-VP
MEETING: C o W

SUBJECT: Development Variance Permit
28621 104 Avenue and 10455 287 Street

EXECUTIVE SUMMARY:

Development Variance Permit application 2023-055-VP has been received in conjunction with a subdivision application 2018-231-SD to permit a subdivision into 4 lots. The requested variance is:

Maple Ridge Subdivision and Development Servicing Bylaw No. 4800-1993:

Part 4, Section B (4)

- To waive the requirement to improve surfacing, curbing, drainage, or other works identified in Schedule A on existing highways within or immediately adjacent to a proposed subdivision or development, to the standard prescribed in the bylaw, where the standard is less than that prescribed by the bylaw for the existing zone.

The variance to waive required improvements to 104 Avenue and 287 Street is requested, as supported by the Engineering Department, in consideration of an existing habitat protection covenant for a watercourse (roadside drainage ditch) and its riparian habitat along the north side of 104 Avenue and in consideration of the adequate capacity and services along 104 Avenue and 287 Street for the proposed low-density development in a rural area. The watercourse and its riparian habitat would be negatively impacted if the required improvements along 104 Avenue are not waived. There is no through traffic on these roads since 287 Street terminates to the northeast of the subject properties.

RECOMMENDATIONS:

1. That the Corporate Officer be authorized to sign and seal 2023-055-VP respecting the properties located at 28621 104 Avenue and 10455 287 Street.

DISCUSSION:

a) Background Context:

Applicant: Justin Endresen

Legal Description: Lot 5 Section 9 Township 15 New Westminster District Plan 66081;
Lot 13 Section 9 Township 14 New Westminster District Plan 66392

OCP Designation:
Existing: Rural Residential
Proposed: Rural Residential

Within Urban Area Boundary: No
OCP Major Corridor: No

Zoning:

Existing: RS-3 (Single Detached Rural Residential)
Proposed: RS-3 (Single Detached Rural Residential)

Surrounding Uses:

North:	Use:	Agricultural; Single Detached Residential
	Zone:	A-2 (Upland Agricultural)
	Designation:	<i>Rural Residential</i>
South:	Use:	Agricultural; Single Detached Residential
	Zone:	A-2 (Upland Agricultural)
	Designation:	<i>Rural Residential</i>
East:	Use:	Agricultural; Single Detached Residential
	Zone:	A-1 (Small Holding Agricultural)
	Designation:	<i>Rural Residential</i>
West:	Use:	Agricultural; Single Detached Residential;
	Zone:	A-2 (Upland Agricultural)
	Designation:	<i>Rural Residential</i>

Use of Property:

Existing: Agricultural;
Single Detached Residential
Proposed: Agricultural;
Single Detached Residential

Site Area: 8.8 hectares (22 acres)

Proposed Access: 104 Avenue;
287 Street

Servicing Requirement: Rural Standard

Fraser Sewer Area: No

Flood Plain: No

Relevant Applications:

Current: 2018-231-SD
Past: 2018-231-RZ
2018-231-DP (Watercourse Protection DP)

b) Site Characteristics:

The subject properties are located at the northwest corner of the intersection of 104 Avenue and 287 Street and have a total area of 8.8 hectares (22 acres) (see Appendices A and B). They are interspersed with trees and slope gradually from the west to 287 Street, which marks its highest point. The environmental consultant identified three watercourses and two ponds on the subject properties, as well as a drainage ditch along the west side of 287 Street. One of the watercourses identified by the environmental consultant is a drainage ditch along the north side of 104 Avenue. The subject properties are bounded by agricultural land and single detached residences to the north and west. To the east, there is 287 Street with agricultural land and single detached residences across the road. To the south, there is 104 Avenue with agricultural land and single detached residences across the road. One of the subject properties has a single detached residence and agricultural use/structures on it with vehicular access from 104 Avenue. The subject property to the east has a single detached residence and agricultural use on it with vehicular access from 287 Street.

c) Project Description:

The applicant is proposing to subdivide the properties into four lots (see Appendix C). Each proposed lot would have a minimum site area of 2 hectares (5 acres). The existing single detached residences on the subject properties would be retained and would utilize the existing vehicular accesses from 104 Avenue and 287 Street. After the proposed subdivision, the new lots without an existing single detached residence would have vehicular access from 287 Street.

d) Variance Analysis

The subject Development Variance Permit application involves the following variance:

Maple Ridge Subdivision and Development Servicing Bylaw No. 4800-1993:
Part 4, Section B (4)

- To waive the requirement to improve surfacing, curbing, drainage, or other works identified in Schedule A on existing highways within or immediately adjacent to a proposed subdivision or development, to the standard prescribed in the bylaw, where the standard is less than that prescribed by the bylaw for the existing zone.

The variance to waive required improvements to 104 Avenue and 287 Street is requested, as supported by the Engineering Department, in consideration of an existing habitat protection covenant for a watercourse (roadside drainage ditch) and its riparian habitat along the north side of 104 Avenue and in consideration of the adequate capacity and services along 104 Avenue and 287 Street for the proposed low-density development in a rural area. The watercourse and its riparian habitat would be negatively impacted if the required improvements along 104 Avenue are not waived. There is no through traffic on these roads since 287 Street terminates to the northeast of the subject properties.

The environmental consultant for the project identified the roadside drainage ditch along the north side of 104 Avenue as a watercourse requiring habitat protection. Staff have confirmed that a habitat protection covenant was established for the watercourse and its riparian habitat and that no further protection is required.

e) Citizen/Customer Implications:

In accordance with *Development Procedures Bylaw No. 5879-1999*, notice of Council consideration of a resolution to issue a Development Variance Permit was mailed to all owners or tenants in occupation of all parcels, any parts of which are adjacent to the property that is subject to the permit.

CONCLUSION:

The proposed variance is supported by City staff. It is recommended that the subject application be favourably considered and the Corporate Officer be authorized to sign and seal Development Variance Permit 2023-055-VP.

"Original Signed by Daniel Rajasooriar"

Prepared by: **Daniel Rajasooriar, MRM**
Planner

"Original Signed by Charles R. Goddard"

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

"Original Signed by Christine Carter"

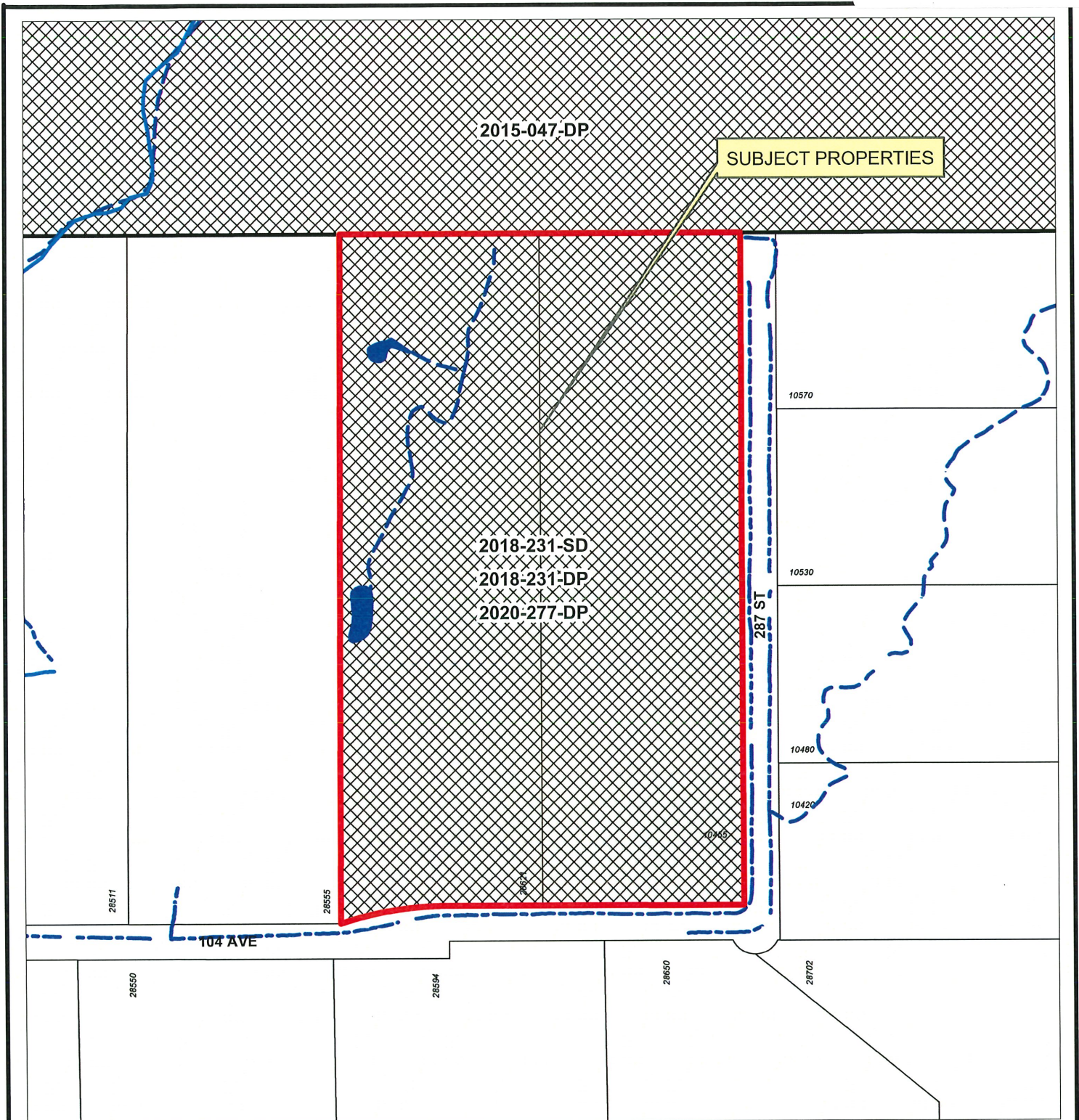
Approved by: **Christine Carter, M.PL, MCIP, RPP**
GM Planning & Development
Services

"Original Signed by Scott Hartman"

Concurrence: **Scott Hartman**
Chief Administrative Officer

The following appendices are attached hereto:

- Appendix A – Subject Map
- Appendix B – Ortho Map
- Appendix C – Proposed Subdivision Plan
- Appendix D – Draft Development Variance Permit



Scale: 1:3,000

Legend

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

28621 104 AVE & 10455 287 ST
PID: 003-743-497, 003-765-156

PLANNING DEPARTMENT

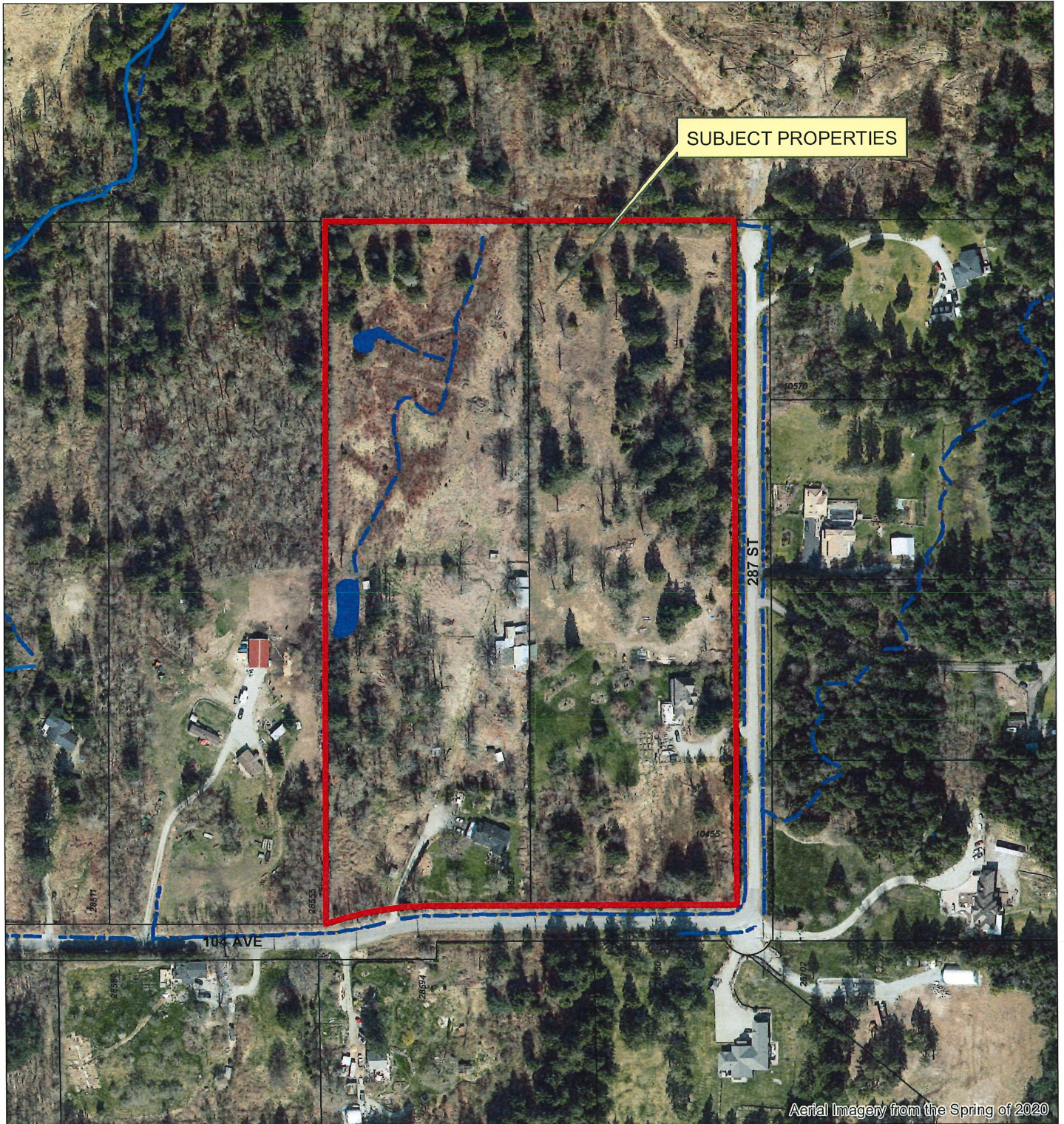


MAPLE RIDGE
British Columbia

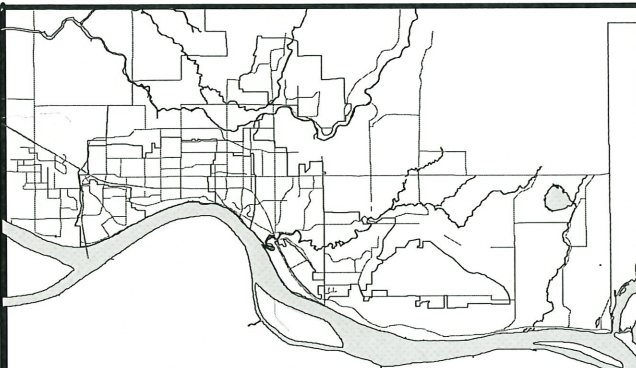
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FILE: 2023-055-VP
DATE: Apr 11, 2023

BY: DT



Scale: 1:3,000



28621 104 AVE & 10455 287 ST
PID: 003-743-497, 003-765-156

PLANNING DEPARTMENT

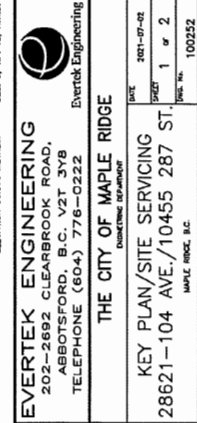


MAPLE RIDGE
British Columbia

mapleridge.ca

FILE: 2023-055-VP
DATE: Apr 12, 2023

BY: DT





City of Maple Ridge

DEVELOPMENT VARIANCE PERMIT NO. 2023-055-VP

TO: SCOTT ANTHONY DRIEMEL
10455 287 ST
MAPLE RIDGE BC V2W 1L5
 (the "Permittee")

LISA HELEN ROBINSON
13086 238 ST
MAPLE RIDGE BC V4R 2S4
 (the "Permittee")

1. This Development Variance 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 5 Section 9 Township 15 New Westminster District Plan 66081;
Lot 13 Section 9 Township 14 New Westminster District Plan 66392
 (the "Lands")

3. Part 4, Section B (4) of *Maple Ridge Subdivision and Development Servicing Bylaw No. 4800-1993*, as amended, outlines how where the standard of surfacing, curbing, drainage, or other works identified in Schedule A on existing highways within or immediately adjacent to a proposed subdivision or development is less than that prescribed by the bylaw for the existing zone, they shall be improved by the applicant to the standard prescribed in the bylaw. It is varied as follows:

The required improvement of surfacing, curbing, drainage, or other works identified in Schedule A on existing highways within or immediately adjacent to a proposed subdivision or development, to the standard prescribed in the bylaw, where the standard is less than that prescribed by the bylaw for the existing zone, is hereby waived.

4. 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.
5. If the Permittee does not substantially commence the development permitted by this Permit within 24 months of the date of Council Authorization of this Permit, _____, this Permit shall lapse.
6. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION passed by the Council ____ day of _____, 20____.

ISSUED on the ____ day of _____, 20____.

CORPORATE OFFICER

The following appendices are attached hereto:

Appendix A – Subject Map

Appendix B – Ortho Map

Appendix C – Proposed Subdivision Plan

DRAFT