



CITY OF  
**Pitt Meadows**  
*The Natural Place*

## Staff Report to Council

Department of Community Services

FILE: 3360-30/3

**DATE:** March 22, 2018  
**TO:** Mayor and Council  
**FROM:** Dana Parr, Planner II  
**SUBJECT:** Cedar Hollows Land Use Contract No. 3

**Date of Meeting – April 10th, 2018**

**RECOMMENDATION(S):** THAT Council:

1. Grant First Reading to Bylaw No. 2795,2018 to Discharge Land Use Contract No. 3 for 19696 Hammond Road ; OR
2. Other

**CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:**

*Smith FOR MARK ROBERTS*

**PURPOSE**

The purpose of this report is to present to Council a land use termination application for First and Second Reading to Council for Cedar Hollows at 19696 Hammond Road in order to develop the property in the future for a townhouse project.

☐ Information Report

☐ Direction Report

☒ Decision Report

**DISCUSSION**

**Background:**

The City has received an application to terminate Land Use Contract No. 3. This land use contract set out the original terms for the development of Cedar Hollows at 19696 Hammond Road. Termination of a land use contract requires Council's consent and a public hearing.

A land use contract (LUC) is a contract between a property owner and a local government that governs the use and development of the property such as land use, building siting and density and was a popular form of development control throughout British Columbia in the 1970's. While the provincial legislation

## PITT MEADOWS

enabling Land Use Contracts was in effect for a short period of time, LUC's entered into during that time are still registered on property title and remain in effect. In 2014, the Provincial government amended the Local Government Act to provide that all LUCs will expire on June 30, 2024 and to require municipalities to establish underlying zoning for LUC properties by June 30, 2022. Additionally, the new legislation also establishes a process that enables municipalities to undertake the optional early termination of LUCs prior to 2024.

LUC's apply to many properties in Pitt Meadows. There are a total of 19 land use contracts in Pitt Meadows, regulating land use for 203 properties. The map below shows properties affected by land use contracts in the urban area. The Esso gas station on the Lougheed Highway just before the Pitt River Bridge is also subject to a Land Use Contract. All properties under a land use contract in Pitt Meadows already have an underlying zone.

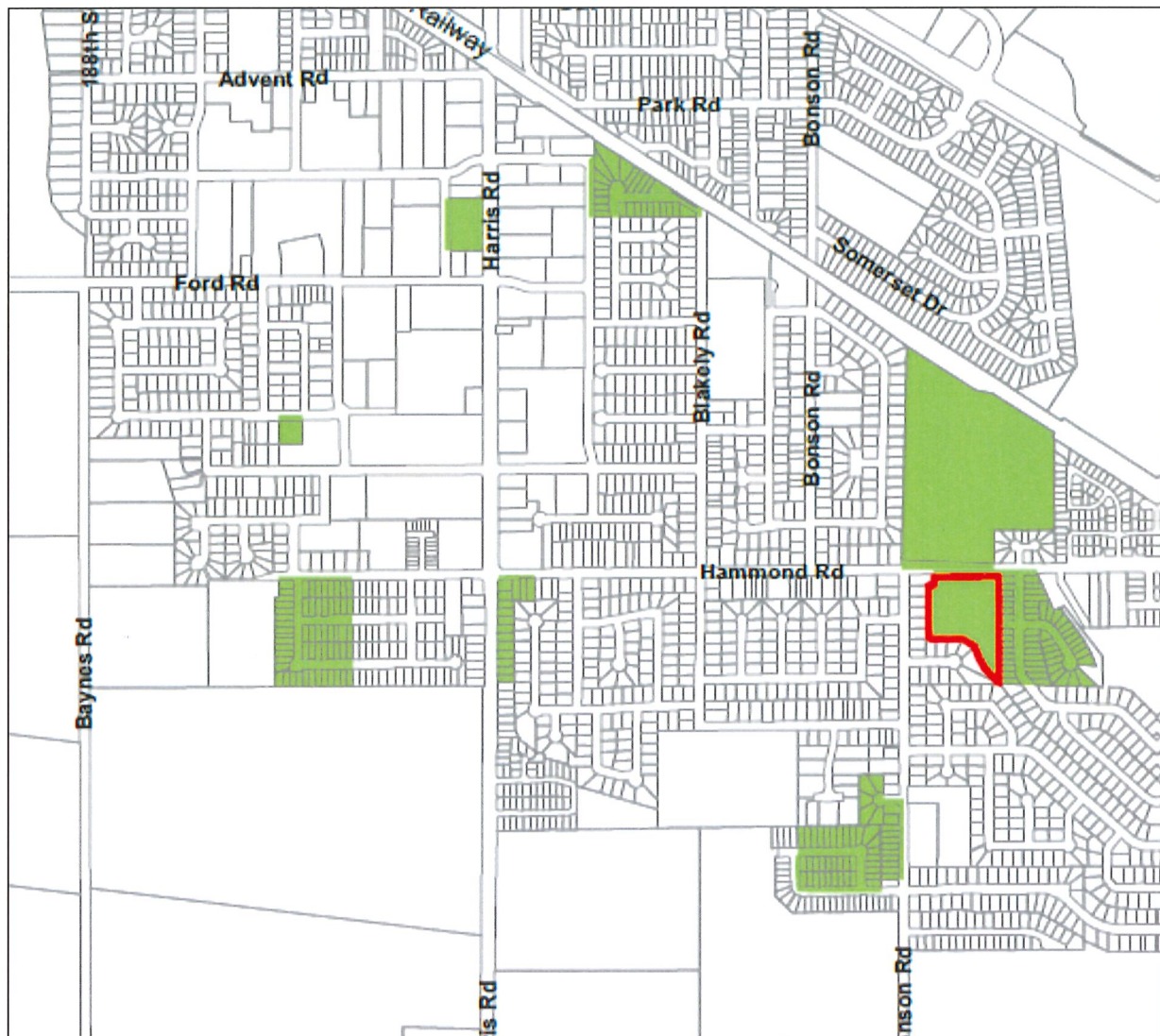


Figure 1: City of Pitt Meadows Urban Land Use Contracts (subject property outlined in red)

If a property lies within the boundaries of an LUC, all land use regulations are prescribed in the LUC. Nevertheless, all properties in Pitt Meadows are assigned a zoning designation, including those properties that are governed by LUCs. The zone assigned to a property that is regulated by an LUC is referred to as an

"underlying zone". Although all properties regulated by LUCs have underlying zoning, the underlying zone currently has no effect on the land uses, density or building siting while the land use contract remains registered on the title.

### **Relevant Policy, Bylaw or Legislation:**

Policy: City of Pitt Meadows Official Community Plan. The OCP land use designation for the subject property is Residential – Medium Density, which is defined as townhouses and low rise apartment buildings at a density of 31 to 100 units per net hectare. Additionally, the property is located within Development Permit Area No. 9, Multi-Family Development.

The following Official Community Plan policies would apply to this application:

#### **4.6.1 Concentrating Residential Development**

- a) Multi-family housing is particularly encouraged within the central part of the urban area, including medium to high density multi-family housing located on major roads and within the Town Centre;
- b) Preference will be given to areas close to public transit routes or stations for higher-density residential developments;

Bylaw: Zoning Bylaw No. 2505. Discussion on zoning is below, under analysis.

Legislation: Local Government Act, Division 16, Discharge and Termination of Land Use Contracts

### **Analysis:**

Termination of the Cedar Hollows Land Use Contract would potentially permit development of the land in accordance with the underlying Multi-Family Residential 1 (RM-1) zone, which allows for townhouses with a maximum floor area ratio of 0.55. No plans have been submitted with the application; however, the applicant has indicated their wish to develop the site within the existing land use regulations. Should the termination of the land use contract be approved by Council, the City will have a chance to review the site plan and building plans as part of the development permit application, which would require Advisory Design Panel Review and Council approval. It should be noted however, that the City has limited discretionary power with a development permit application. It is the applicant's intention to develop the property to accommodate a townhouse development, which based on preliminary discussions, could include up to 100 units, depending on the size of the units. Primary road access to the site would be off of North Wildwood Crescent. Another emergency / limited access route from Hammond Road may also be considered.

The redevelopment of this site represents an important opportunity to provide new housing units on a parcel with an already established multi-family development, directly on a frequent transit corridor and close to amenities.

#### Cedar Hollows, 19696 Hammond Road

##### *Neighbourhood Context*

Cedar Hollows is located at 19696 Hammond Road, close to the intersection of Hammond Road and Bonson Road. The immediate neighbourhood consists primarily of single-family homes, with a small commercial building on the corner of Hammond and Bonson Roads and the Meadow Highlands mobile homes park.

## PITT MEADOWS

Although the site fronts Hammond Road, the only access to the development is via a driveway off of North Wildwood Crescent.

The two hectare site is characterized by steep slopes from Hammond Road and the properties immediately to the north, forming a kind of amphitheatre that is open to the south, but separated from the northern and western neighbourhood by the steep slopes. The site, and particularly the slopes, is generously treed.

Built in 1976, Cedar Hollows consists of 36 two-storey units. The units require extensive repair, particularly to the building envelope. Rather than renovate the structures, the strata collectively sought a developer to purchase the property. The strata accepted an offer from the applicant in November 2017 to purchase the property and on December 15<sup>th</sup>, voted unanimously to wind up their corporation.

### Land Use Contract No. 3

Land Use Contract No. 3 specifies that any “building, structure, or improvement shall be constructed, reconstructed, altered, moved or extended upon the land except in compliance with the plans and specifications...”

The use of the land is restricted to: “36 single-family units, being 12 two bedroom units and 24 three bedroom units.” At a density 18 units per hectare, it is currently less dense than the single-family neighbourhoods surrounding the development.

### City of Pitt Meadows Official Community Plan

The OCP land use designation for the subject property is Residential – Medium Density, which is defined as townhouses and low rise apartment buildings at a density of 31 to 100 units per net hectare.

Relevant Policies:

#### 4.6.2 Housing Choices

- h) Review opportunities for infill and redevelopment of underused / low density sites and consider partnership demonstration projects of good quality medium high density development.

### Multi-Family Residential (RM-1) Zone

According to the Zoning Bylaw, the intent of the Multi-Family Residential 1 Zone is to designate land suitable for comprehensively planning moderate density housing developments which incorporate a high level of design.

Townhouses are the only principal use permitted in this zone. The following table summarizes the requirements of the zone:

Requirement	Dimension
Permitted density / maximum floor area ratio	0.55
Maximum lot coverage	40%
Maximum Building Height	10 metres (three storeys)
Principal building siting:	



## PITT MEADOWS

• Front and rear lot lines	7.5 metres
• Interior side lot lines	1.5 metres
• Exterior side lot lines	4.5 metres

The RM-1 applies to ten properties in Pitt Meadows. The map below highlights those properties. These properties all have townhouse developments except for the mobile home park on Hammond Road, Meadow Highlands and a strata-home development at 122A and 193<sup>rd</sup>.

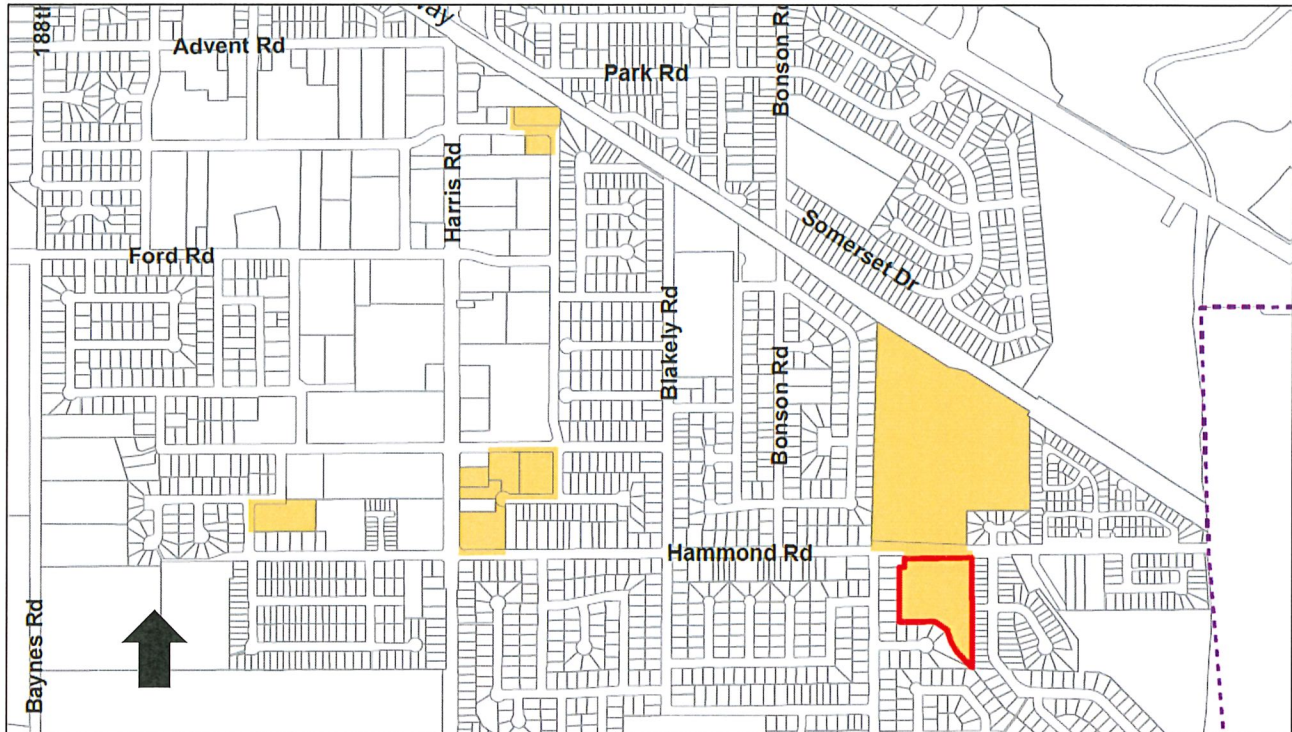


Figure 2: RM-1 Zoned Properties (subject property outlined in red)

### *Relationship between the OCP and Zoning Bylaw:*

The Official Community Plan serves as the basis for and guides the zoning of a property. In this case, the Multi-Family Residential Zone is consistent with the underlying OCP land use designation of Residential – Medium Density.

It should be noted that under the OCP, the 2 hectare subject property is contemplated as having between 62 and 200 units. Under the RM-1 zone, there is potential for approximately one hundred 1,200 square foot townhouse units, which would set the development of the property in the lower - middle of the OCP's density range. The current density of 36 units over two hectares (or 18 units per hectare) is far below the OCP's density range for this property.

The site is well suited to redevelopment. The topography of the site, as described above, will reduce the impact of re-development on many of the neighbouring properties. It is located on a frequent transit corridor and is within close proximity to amenities and services. There are few sites in the City that have the opportunity to provide density in such a location.

Recommended Conditions of Approval

Should the application be scheduled for Public Hearing and Third Reading consideration, staff recommend the conditions of approval as listed below, to be completed before the bylaw is adopted.

The recommended conditions fall into three broad categories:

1. Registration of covenants
2. Technical reports and assessments
3. Community Amenity Contributions

Registration of Covenants:

Often the registration of covenants is required after third reading. Third reading provides an approval-in-principle for the proposal, allowing the applicant some comfort in registering legal documents and agreements on the property title for the proposed project while giving the municipality the discretionary power to require the covenants as part of the rezoning process. Staff will not recommend a bylaw for adoption unless all covenants have been registered.

For this application, the following covenants are recommended to be registered on title prior to final adoption of the bylaw:

1. Tree preservation covenant.

Technical Reports and Assessments:

For this application, the following technical reports and assessments are recommended to be submitted to the City prior to public hearing:

1. Tree preservation plan and biophysical assessment (the covenant, above, would be based on this plan)
2. Geotechnical report
3. Traffic Assessment

The following technical reports and assessments are recommended to be submitted to the City for staff review and acceptance prior to final reading of the bylaw:

1. An erosion and sedimentation plan
2. A stormwater management plan
3. Servicing Agreement

Community Amenity Contributions:

Although this application does not fall under the traditional rezoning application that the City's Residential Community Amenity Policy addresses, since approval of a bylaw is required after a public hearing, it is clear that the legislation acknowledges that the discharge of the contract requires Council discretionary decision making powers, similar to a rezoning application.

**COUNCIL STRATEGIC PLAN ALIGNMENT**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Corporate Excellence            | <input type="checkbox"/> Economic Prosperity | <input checked="" type="checkbox"/> Community Livability |
| <input type="checkbox"/> Transportation & Infrastructure | <input type="checkbox"/> Not Applicable      |  |

Encourage diversity in the range and mix of housing types

---

**FINANCIAL IMPLICATIONS**

- ☐ None      ☐ Budget Previously Approved  
☒ Other      ☐ Referral to Business Planning

More residential units (and more households) could be located on this property, potentially increasing the amount of property taxes received from the property, but also resulting in more residents who require more City services. The applicant is proposing to contribute \$256,000 to the Community Amenity Reserve Fund.

---

**PUBLIC PARTICIPATION**

- ☐ Inform      ☒ Consult      ☐ Involve      ☐ Collaborate      ☐ Empower

Consult = To obtain feedback on analysis, issues, alternatives, and decisions.

Comment(s):

The purpose of a Public Hearing is to provide Council with feedback regarding the application to inform their decision.

---

**KATZIE FIRST NATION CONSIDERATIONS**

Referral      ☐ Yes      ☒ No

None identified.

---

**SIGN-OFFS**

Written by:

Reviewed by:

Dana Parr, Planner II

Lisa Grant, Manager of Community Development

---

**ATTACHMENT(S):**

- A. Bylaw No. 2795-2018

**CITY OF PITT MEADOWS  
BYLAW NO. 2795, 2018**

A Bylaw to Discharge City of Pitt Meadows Bylaw 684 (Land Use Contract No. 3)

---

**WHEREAS**, Land Use Contract No. 3, having Charge Number N6003A, including all amendments, modifications and extensions to Charge Number N6003A;

**WHEREAS**, "Land Use Contract No. 3" was entered into with the City of Pitt Meadows as a party and filed in the Land Title Office on January 21, 1977, New Westminster, British Columbia for lands herein described;

**WHEREAS**, the owners of said land which is subject to "Land Use Contract No. 3" have applied to the City for permission to discharge the Land Use Contract;

**WHEREAS**, the Council deems it expedient that the rights and obligations created and to be performed under the said Land Use Contract should terminate and be no longer of force or effect;

**AND WHEREAS** Section 546 of the Local Government Act, R.S.B.C. 2015, C.1 provides that a Land Use Contract may only be terminated by bylaw and only after Public Hearing

**NOW THEREFORE**, the Council of The Corporation of the City of Pitt Meadows in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "**City of Pitt Meadows Land Use Contract Discharge Bylaw No, 2795, 2018**".

2. To discharge "Land Use Contract No. 3" (Attachment A), registered against the following properties:

**Lots 1 – 36, District Lot 280 Group 1 New Westminster District Strata Plan NW927**

To permit the underlying Multi-Family Residential 1 (RM-1) Zone to come in to force and effect;

3. Pitt Meadows Bylaw No. 684 (Land Use Contract No. 3) is hereby discharged.

READ a FIRST and SECOND time the    day of    , 2018.

PUBLIC HEARING held on the    day of    , 2018.

READ a THIRD time the    day of    , 2018.

ADOPTED the    day of    , 2018.

---

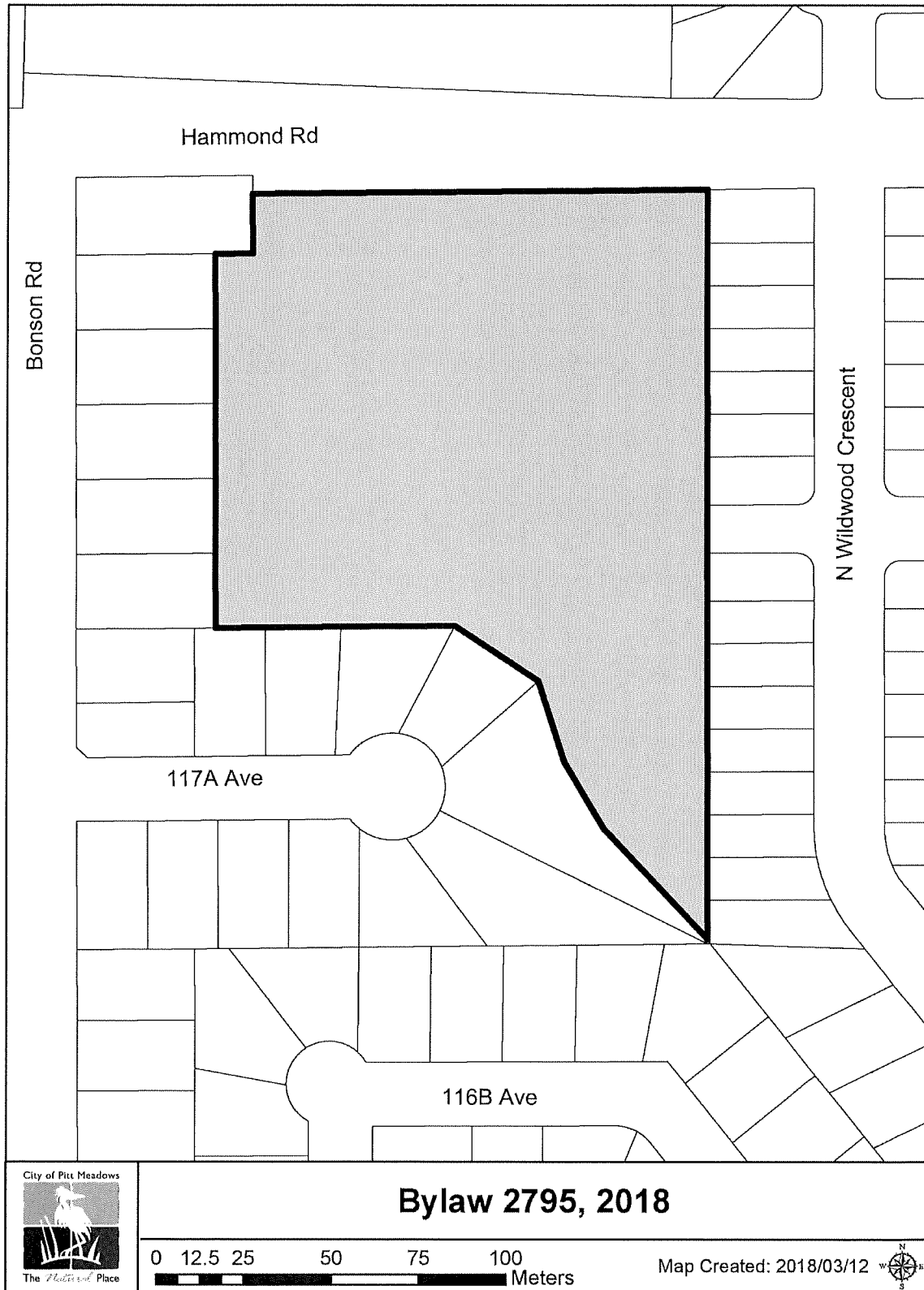
Mayor

---

Corporate Officer



ATTACHMENT "A"



#142524v1